

Snow, Anne E

From: Wentzell, Doug
Sent: November-15-17 11:36 PM
To: Berthier, Jacinta
Subject: Fw: Looking ahead to LFA 33/34 openings

Looks like we're on the right track...

Doug Wentzell
Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directeur régional, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>
Sent: Wednesday, November 15, 2017 9:44 PM
To: Wentzell, Doug
Subject: Re: Looking ahead to LFA 33/34 openings

Thx looks good.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Wentzell, Doug
Sent: Wednesday, November 15, 2017 7:37 PM
To: Burns, Adam
Cc: Berthier, Jacinta; Whorley, David
Subject: RE: Looking ahead to LFA 33/34 openings

Thanks Adam.

I assumed that there were no national guidelines yet related to considerations around closures as I hadn't seen any draft docs. In the absence of that, the Region has worked over the last few months to pull together the attached which is modeled around some of the parameters that exist in the US and map out clear considerations with respect to closing a fishery.

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A draft agenda for Friday's meeting is below and Jen B is invited to join from your team. If you have any input/comments on the attached protocol, please pass them along.

- Update on current and planned surveillance / monitoring for NARW

- Industry engagement – gear configuration and mitigation measures
- Discussion of management options and tools
 - Risk assessment / considerations
 - Industry Notice – Pre-season
 - Early / Advance notifications of whale migration – In-season
 - Management measures / response

Many Thanks,
Doug

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From: Burns, Adam
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Subject: Re: Looking ahead to LFA 33/34 openings

Thanks Adam [REDACTED]
[REDACTED]

Given that folks can set in a day, I suspect they could they could haul in a similar timeframe.

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In addition to enhancing awareness of the issue and possible mitigation (less scope on gear, etc.) at industry meetings and Advisory Committees, we will be sending our standard note to industry over the next week or so reminding them of the potential for interaction and providing a heads up of possible decisions the Department may need to make if whales are sighted in or near open LFAs.

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My question is, what would trigger the Department to consider a possible full or partially closure of an LFA? While we closed the crab fishery in the Gulf, the reality is that we were at the end of the season and 98% of the TAC was harvested. By comparison, we will be at the beginning of our season so potential impact will be much greater?

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Quirouette, Diane

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To: Burns, Adam
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Attachments: Right Whale Management Entanglement Prevention Measures-draft Oct 2017.docx

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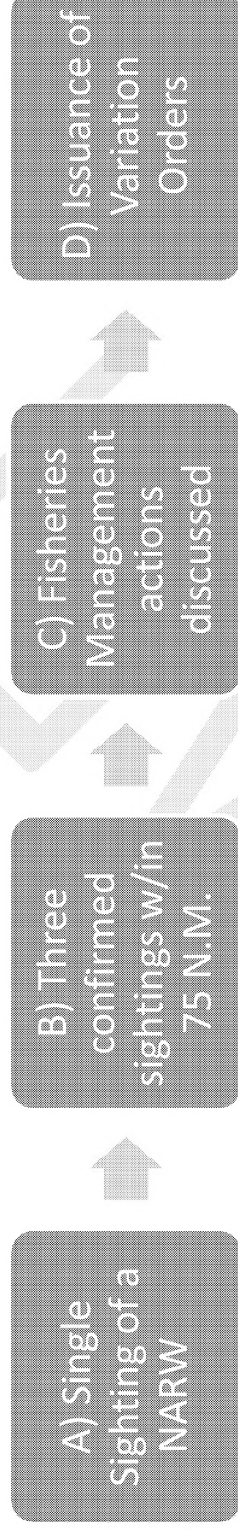
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Right Whale Management Entanglement Prevention Measures

When the Department is made aware of North Atlantic Right Whales migrating through active fishing areas in our region, one of three responses actions will be triggered based on the following scenarios. These scenarios will not necessarily follow the sequence as outlined below:



Scenario A: Single Sighting of a NARW

Sightings of NARWs are transmitted to DFO via xmarwhalesightings@dfo-mpo.gc.ca or call 1-844-800-8568 for inclusion in a database.

When DFO receives notice of NARWs in Maritimes waters, fishers will be made aware of these sightings through the following mechanisms:

1. **RM** Advise external contact list that whales have been located in our area (action: contact lists to be developed of Mar region fleets and associations to be alerted. Divided by 3 area office areas?)
2. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast. Notice is to be repeated for a 36h period.

Scenario B: Three Confirmed Sighting of NARW in a 75 Nautical Mile area

When there are 3 confirmed detection of NARWs within 75 NM, enhanced monitoring of the presence of NARWs will commence. This measure is similar to those taken by NOAA and would be a visual confirmation of more than a mother and calf. Confirmed detection could be through visual or acoustic detection by C&P flights or vessels, TC flights, CCG vessels, Whale Watching Groups, etc. Ideally, confirmation of detections would include visual images.

This scenario will include the following steps:

1. **RM** Advise internal “core contact list” that whales have been located in our area (list included below includes a representative from RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the “core contact list” from each group will then trigger the required response for their sector as outlined below
2. **RM (MMC)**
 - a. Daily calls will be set up with the core team of representatives while whales are present
 - b. Regional /NHQ counterparts will be informed of actions and kept informed of changes
 - c. Inform partners in response organizations of possible movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
 - d. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
 - e. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that enhances surveillance will start and request support from fishers in reporting sightings.
3. **C&P**
 - a. Enhance surveillance of areas where NARWs have been sighted and relay sighting information back to the “core contact list”
 - b. May be required to pull lost gear that is found in the water
4. **Communications**
 - a. Communications plan on advising media of Department’s approach to minimizing risk of interaction with fisheries.

5. Science

- a. Assess if whales are likely transiting through/foraging/mating, based on past studies
- b. Assist in predictive modeling of where whale may move (based on past years, foraging grounds, etc)
- c. Provide input on depths to be considered for closures

6.

SARMD

- a. Liaise with NOAA (upon advice from NHQ)

Scenario C: Fisheries Management actions discussed

When 3 or more NARWs are detected in close proximity to fishing gear or moving in the direction of active fishing areas, decisive action is required to help reduce the risk of entanglements. The following steps are suggested:

1. **RM (MMC)** Advise internal “core contact list” that whales have been located in our area (list to be developed and include- RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the “core contact list” from each group will then trigger the required response for their sector as outlined below
2. **MMC** to coordinate daily calls will be set up for the core team of representatives:
 - a. Regional /NHQ counterparts will be informed of actions and kept informed of changes
 - b. Inform partners in response organizations of movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
 - c. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
 - d. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that measures may be taken and request support from fishers in reporting sightings
 - iv. RM to begin drafting Variation Orders

3. Core Team/ Subject Matter Experts

The following questions will need to be discussed with relation to the specifics of the situation:

- a. What fisheries are active in the area where whales are present?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in what area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types.
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, when is it considered “safe” to reopen the fisheries? Is there a length of time without sightings that should be considered?

4. C&P

- a. Variation Orders for closures (if required) are prepared with RM
- b. Request increased surveillance in areas impacted by management measures
- c. C&P may be required to pull gear that is left in the water if fisheries are requested to remove.
 - i. What is done to licence holders that do not comply with the VO to remove gear?

5. Communications

- a. Communications plan on advising media of Department’s approach to minimizing risk of interaction with fisheries and relaying possible closure information

6. Science

- a. Assess if whales are likely transiting through/foraging/mating, based on past studies
- b. Assist in predictive modeling of where whale may move (based on past years, foraging grounds, etc)
- c. Provide input on depths to be considered for closures

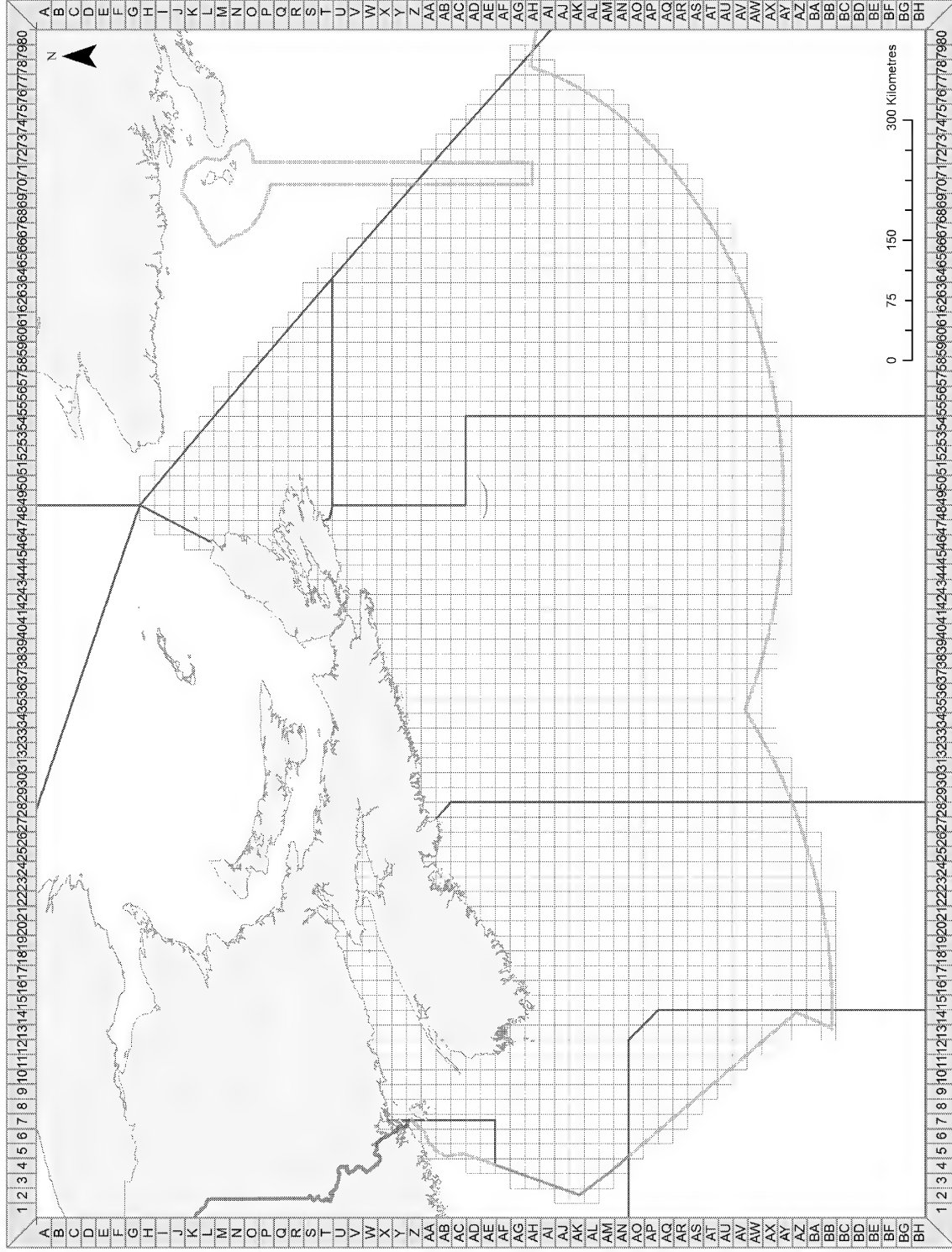
7. SARMD

- a. Liaise with NOAA (upon advice from NHQ)

Scenario D: Issuance of Variation Orders to Close Fisheries

Following discussions in Scenario C, when deemed appropriate, Variation Orders will be issued to close implicated fisheries.

1. **RM** to advise implicated fleets of impending closures
 - a. RM advisors to contact their respective fleet representatives and advise of the situation
 - b. Set up daily meetings with core team to update on the situation and monitor the movement of whales in Maritimes' waters
 - c. Update closure plans as required
2. **C&P**
 - a. Variation Orders for closures are issued
 - b. Surveillance is increased in areas impacted by management measures
 - c. C&P may be required to pull gear that is left in the water if fisheries are requested to remove.
 - i. What is done to licence holders that do not comply with the VO to remove gear?
3. **Communications**
 - a. Communications plan on advising media of Department's approach to the closure of fisheries



External Contact List:
To be created

Core Contact List:
Managed by Marilyn Sweet, RM



Core Contact List
-NARW.msg

Annex A: Contact lists

Caines, Allison

From: Schaefer, Heidi
Sent: Wednesday, November 22, 2017 10:40 AM
To: Merriman, Catherine B
Subject: Protocol

Hi,
Here are my comments on the protocol. As discussed, I think it needs a re-write. Feel free to move elsewhere on the R:drive.

R:\Oceans & Habitat\Species at Risk\SPECIES Work Files\Marine\N Atl right whale\4
Implem Monitoring Evaln\Fishery interactions\Right Whale Management Entanglment Prevention Measures-draft Oct
2017 SARMD.docx

Heidi

Right Whale Management Entanglement Prevention Measures

Objective [of this document]: guide decisions related to xxx when right whales are present?

When the Department is made aware of North Atlantic Right Whales present in or migrating through active fishing areas in our region, one of four responses actions will be triggered based on the following scenarios. These scenarios will not necessarily follow the sequence as outlined below:



Scenario A: Single Sighting of a NARW

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Commented [HS1]: Is this just for this year? Should this say "interim"?

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Commented [HS2]: The scenarios A and B below don't specify that the whale must be migrating through active fishing areas to elicit the response. Need to specify whether this protocol is only for "migrating whales" and only for all NARWs detected in "active fishing areas" or whether it is for any detection of NARW anywhere in MAR Region.

Commented [HS3]: A-D - some are describing scenarios, some responses. Logic and flow aren't clear.

Commented [HS4]: Suggest removing arrows if this isn't a sequence.

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Commented [HS5]: Anywhere in MAR Region or if in an active fishing area?

Commented [HS6]: All fishers? Which ones? How will you decide?

Commented [HS7]: Even if 1 is sighted? Does this get repeated with each single sighting? What information is conveyed to the contact list? Picturing scenario where multiple single sightings come in over the course of a couple weeks. Is there a separate email each time? What is the email and notification telling people to do?

Commented [HS8]: What happens after 36 hours? How do you decide the notice is no longer needed? What is the notice to ... [1]

Commented [HS9]: Do both 1 & 2 happen each time, or ... [2]

Commented [HS10]: 3 or more? What happens when 2 ... [3]

Commented [HS11]: Within any 75 nautical mile area? ... [4]

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Commented [HS12]: I am interpreting this to mean that ... [5]

Commented [HS13]: Enhanced beyond what? What do ... [6]

Commented [CBM14]: Why are a mother & calf referred ... [7]

Commented [HS15]: ?? Does step just entail confirming ... [8]

Commented [HS16]: Acoustic detection is not going to ... [9]

Commented [CBM17]: Acoustic detection are not real ... [10]

Commented [CBM18]: If not actually accompanied by ... [11]

Commented [HS19]: In what scenarios would images ... [12]

Commented [HS20]: Are these steps written for a scer ... [13]

Commented [HS21]: When this scenario is encountered ... [14]

Commented [CBM22]: Right whales, or other spp too?

Commented [HS23]: Does this mean anywhere in MAR ... [15]

s.21(1)(b)

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Commented [HS24]: Are these steps in any particular order?

Commented [HS25]: How do you decide when daily calls are no longer necessary? How do you find out if whale no longer present?

Commented [HS26]: How often? As needed? Weekly? Daily?

Commented [HS27]: What does "possible movement" mean? Movement within MAR Region? Out of MAR Region?

Commented [HS28]: What does the notice tell them to do? What happens after 36 hours? How do you decide to stop the notices?

Commented [HS29]: Shouldn't this be the first step? If there are no active fisheries in the area, do all of the other steps even need to happen?

Commented [HS30]: What does "enhanced" mean?

3. C&P

- a. Enhance surveillance of areas where NARWs have been sighted and relay sighting information back to the "core contact list"
- b. May be required to pull lost gear that is found in the water

Commented [HS31]: What does enhance mean?

Commented [HS32]: Shouldn't this go to Science for their tracking and mapping rather than data to the core group?

Commented [CBM33]: This sounds like a general and higher-level step -- vs. a reaction to the implementation of a measure -- are those 2 separate things?

Commented [HS34]: Check with Science if this is realistic. I don't think it is. They might be able to deduce something based on observed behaviour (e.g. feeding, SAGs, etc.), but other than that, I'm not sure what "past studies" there are to inform this. What would science need to provide this assessment?

Commented [HS35]:

Commented [HS36]: Why depths? How does RM intend to implement closures? Is by depth their only means to describe a closed area? What info would Science need to provide this input, and does it exist?

Commented [HS37]: What is the purpose of this? Do we really let NOAA know every time 3+ whales are sighted in Canada? If this is just to relay sightings data, then that already happens via Science?

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Commented [HS38]: Following the format of the previous Scenarios, I think this is actually the scenario. If so, I assume Scenario B is for situations when the NARW are NOT sighted near fishing gear, but if so, why would we need step 2(e)?

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Commented [HS39]: Or "will be implemented"?

Commented [HS40]: Add this otherwise this is not different from Scenario B.

4. Communications

- a. Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries.

5. Science

- a. Assess if whales are likely transiting through/foraging/mating, based on past studies
- b. Assist in predictive modeling of where whale may move (based on past years, foraging grounds, etc)
- c. Provide input on depths to be considered for closures

6. SARMD

- a. Liaise with NOAA (upon advice from NHQ)

Scenario C: When 3 or more NARWs are detected in close proximity to fishing gear or moving in the direction of active fishing areas Fisheries Management actions discussed

When 3 or more NARWs are detected in close proximity to fishing gear or moving in the direction of active fishing areas, decisive action is required to help reduce the risk of entanglements. The following steps are suggested:

1. RM (MMC) Advise internal "core contact list" that whales have been located in our area in close proximity to fishing gear or moving in the direction of active fishing areas (list to be developed and include- RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the "core contact list" from each group will then trigger the required response for their sector as outlined below
2. MMC to coordinate daily calls will be set up for the core team of representatives:

- a. Regional /NHQ counterparts will be informed of actions and kept informed of changes
- b. Inform partners in response organizations of movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
- c. RM/C&P to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
- d. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that measures may be taken and request support from fishers in reporting sightings
 - iv. RM to begin drafting Variation Orders

Commented [HS41]: Movement or presence?

Commented [HS42]: Same questions. What is the purpose of the notice? What happens after 36 hours?

Commented [HS43]: To do what? Should describe options somewhere. What start drafting them if you haven't yet decided you need them or what they would be (see next step is to discuss options to inform decision)?

Commented [HS44]: The questions below are a mix of information needs and decision points. Needs to be cleaned up and organized.

3. Core Team/ Subject Matter Experts

For each situation, the following information questions will be needed to determine the best course of action to be discussed with relation to the specifics of the situation:

- a. A list of what fisheries are active fisheries and their respective gear types in the area where the whales are present, and an indication (via risk analysis) of which do and not pose an entanglement risk to NARW.

What gear type currently being used in the area poses a risk to NARWs?

List those fisheries that are active and gear types which do/do not pose a risk.

a. ?

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- b. An assessment of whether Are NARWs will transit believed to be foraging or transiting through the area or remain resident for a period of time?

~~c.a. What gear type currently being used in the area poses a risk to NARWs?~~

~~c. List those fisheries that are active and gear types which do/do not pose a risk.~~

- d. Is it advisable to close fisheries? If so in what area (refer to map with grid system)

- i. If closure takes place, should fisheries in adjacent areas be put on alert?
- ii. Should they be asked to not leave gear unattended? What does this mean for different gear types.

e.c. Is it more harmful to leave gear in place or require fleets to remove their gear?

- i. If gear is determined to be a risk, how much time should be given for gear to be removed? Should it be a staggered removal so not as many vessels are hauling at the same time?

f.d. Should fisheries be closed, when is it considered "safe" to reopen the fisheries? Is there a length of time without sightings that should be considered?

Commented [HS45]: Again, what information will Science need to provide this assessment, and can it even be obtained in a short period of time?

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Commented [HS46]: Is this what will be used to spatially close fisheries? Should be introduced earlier and how it will be used should be explained.

Commented [HS47]: What information is needed and what factors should be considered to make this decision?

Commented [HS48]: What information is needed and what factors should be considered to make this decision? Same goes for all of the following questions.

Commented [HS49]: Science CSAS process is providing advice on this topic for the Shipping area in the Gulf. May be applicable here too?

Commented [HS50]: Need to develop criteria and decision points for this.

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Commented [HS51]: What is this surveillance meant to inform? It should be linked to whatever is decided above about what info is needed and decision points around when to re-open fisheries?

Commented [HS52]: Is this abandoned or missed gear... or illegal fishing?

4. C&P

- a. Variation Orders for closures (if required) are prepared with RM
- b. Request increased surveillance in areas impacted by management measures
- c. C&P may be required to pull gear that is left in the water if fisheries are requested to remove
 - i. What is done to licence holders that do not comply with the VO to remove gear?

5. Communications

- a. Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries and relaying possible closure information

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6. Science

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Commented [HS53]: Same comments as in Scenario B.

- a. Assess if whales are likely transiting through/foraging/mating, based on past studies
- b. Assist in predictive modeling of where whale may move (based on past years, foraging grounds, etc)
- c. Provide input on depths to be considered for closures

7. SARMD

- a. Liaise with NOAA (upon advice from NHQ)

Commented [HS54]: Why?

Scenario D: Issuance of Variation Orders to Close Fisheries

Commented [HS55]: This isn't a Scenario. This is a next step within Scenario C?

Following discussions in Scenario C, when deemed appropriate, Variation Orders will be issued to close implicated fisheries.

1. RM to advise implicated fleets of impending closures

- a. RM advisors to contact their respective fleet representatives and advise of the situation
- b. Set up daily meetings with core team to update on the situation and monitor the movement of whales in Maritimes' waters
- c. Update closure plans as required

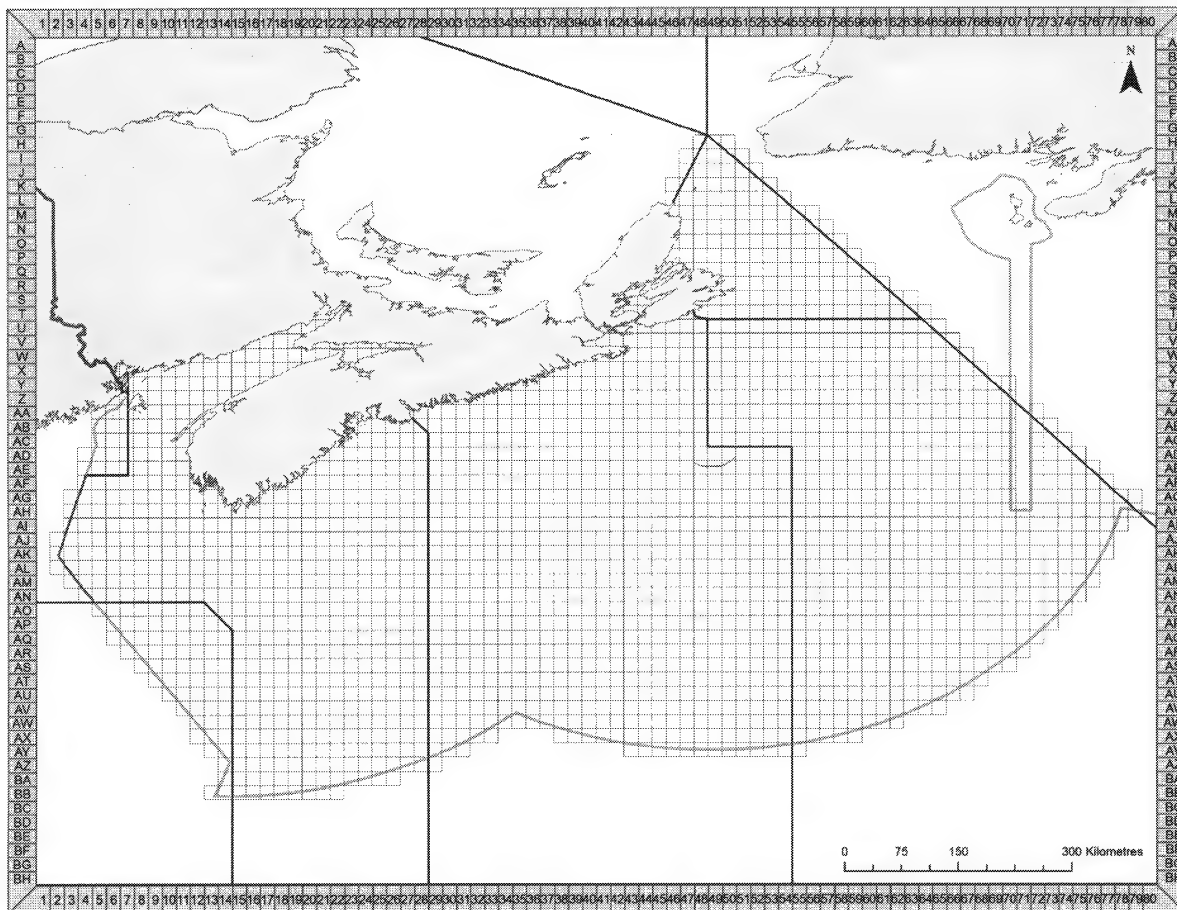
2. C&P

- a. Variation Orders for closures are issued
- b. Surveillance is increased in areas impacted by management measures
- c. C&P may be required to pull gear that is left in the water if fisheries are requested to remove.
 - i. What is done to licence holders that do not comply with the VO to remove gear?

Commented [HS56]: Again, why? What is the objective? What decision will this surveillance inform?

3. Communications

- a. Communications plan on advising media of Department's approach to the closure of fisheries



Annex A: Contact lists

External Contact List:

To be created

Core Contact List:

Managed by Marilyn Sweet, RM



Core Contact List
-NARW.msg

Page 1: [1] Commented [HS8]	Heidi Schaefer	11/22/2017 10:22:00 AM
What happens after 36 hours? How do you decide the notice is no longer needed? What is the notice telling people to do?		
Page 1: [2] Commented [HS9]	Heidi Schaefer	11/22/2017 10:22:00 AM
Do both 1 & 2 happen each time, or one or the other?		
Page 1: [3] Commented [HS10]	Heidi Schaefer	11/22/2017 10:22:00 AM
3 or more? What happens when 2 are sighted? Should Scenario A be 1-2 sighted?		
Page 1: [4] Commented [HS11]	Heidi Schaefer	11/22/2017 10:22:00 AM
Within any 75 nautical mile area? Or only within an actively fished area?		
Page 1: [5] Commented [HS12]	Heidi Schaefer	11/22/2017 10:22:00 AM
I am interpreting this to mean that within a 75 NM square area (so picturing a polygon area) there are at least 3 NARW detected. If you say "NARW within 75 NM" it is unclear. Within 75 NM of what? Of each other? Of a fishing area.		
Page 1: [6] Commented [HS13]	Heidi Schaefer	11/22/2017 10:22:00 AM
Enhanced beyond what? What does "enhanced" mean?		
Page 1: [7] Commented [CBM14]	CMerriman	11/24/2017 10:51:00 AM
Why are a mother& calf referred to? Vs. a pair of NARW of any age/sexes?		
Page 1: [8] Commented [HS15]	Heidi Schaefer	11/22/2017 10:22:00 AM
?? Does step just entail confirming that there are more than 2 whales? There are indeed 3?		
Page 1: [9] Commented [HS16]	Heidi Schaefer	11/22/2017 10:22:00 AM
Acoustic detection is not going to give you #s of whales, so it can't be used to trigger a response based on #s.		
Page 1: [10] Commented [CBM17]	CMerriman	11/24/2017 10:52:00 AM
Acoustic detection are not real-time yet, I don't think, another reason this technique is not likely to "confirm" NARW sightings.		
Page 1: [11] Commented [CBM18]	CMerriman	11/24/2017 10:53:00 AM
If not actually accompanied by visual images, how is NARW sighting "confirmed"? Are sightings from different sources considered to have varying levels of reliability?		
Page 1: [12] Commented [HS19]	Heidi Schaefer	11/22/2017 10:22:00 AM
In what scenarios would images not be required? Who verifies identification of the visual image provided?		
Page 1: [13] Commented [HS20]	Heidi Schaefer	11/22/2017 10:22:00 AM
Are these steps written for a scenario where whales move in and out of the area fairly quickly? Should there be different responses for scenarios where whales hunker down and stay for several weeks/months?		
Page 1: [14] Commented [HS21]	Heidi Schaefer	11/22/2017 10:22:00 AM
When this scenario is encountered, the following steps must be taken. Are the steps in any particular order?		
Page 1: [15] Commented [HS23]	Heidi Schaefer	11/22/2017 10:22:00 AM
Does this mean anywhere in MAR Region at all? Does this happen each and every time a new group is sighted? What if there are repeated sightings of the same group day after day?		

MacLellan, Elizabeth

From: Daley, Annette
Sent: December-20-17 12:24 PM
To: Humphrey, Donald; Schaefer, Heidi
Subject: FW: UPDATE: NARW - Roseway Basin
Attachments: Right Whale Management Entanglment Prevention Measures-draft Oct 2017.docx

Annette

From: Wentzell, Doug
Sent: Wednesday, December 20, 2017 12:14 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Williams, Wendy <Wendy.Williams@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>
Cc: Cherry, Michael <Michael.Cherry@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: UPDATE: NARW - Roseway Basin

Hi folks,

Just to keep you in the loop, we received word this morning that the Dalhousie glider detected a right whale(s) for ~45 minutes at 1:12 Tuesday morning (Dec 19th). 42 59.38 N, 065 08.90 W. There was no detection after the 45 minutes which may mean that the animal(s) was transiting through the area but we cannot confirm that.

As per the attached protocol, we've taken the following steps in response:

- Representatives from LFAs 33, 34, 41, 4X snow crab and local associations Coldwater Lobster and MFU were all advised of the following:
 - A North Atlantic Right Whale has been detected in the Roseway Basin at the following coordinates: 42 59.38 N, 065 08.90 W.
 - We are asking harvesters to be vigilant in their fishing operations at this time and please inform the Department of Fisheries and Oceans of any sightings or interactions with Right Whales by calling 1-844-800-8568.
 - If you see a dead, injured or entangled whale, please contact the Marine Animal Response Society at 1-866-567-6277.
- We will be providing the same info via marine broadcast and have connected with Comms to supplement these activities with approaches such as Twitter, etc.
- We are also reviewing our tasking to ensure surveillance in the area.

Our RM colleagues in NHQ are in the loop. If you have any questions, please let me know.

Doug

Doug Wentzell
Regional Director, Fisheries Management

Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directeur régional, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

No information has been removed or severed from this page

**Pages 25 to / à 31
are duplicates of
sont des duplicatas des
pages 9 to / à 15**

MacLellan, Elizabeth

From: Daley, Annette
Sent: December-20-17 3:30 PM
To: Prall-Dillman, Sheila
Cc: Dunn, Andy; Williams, Wendy
Subject: RE: For Review: Draft Record of Discussion - ASC for NARW on Dec. 13th
Attachments: Record of Discussion - ASC for NARW Dec 13 2017 (draft 2017-12-20) asd comments.docx

My comments attached in tracked changes. Good capture of the main threads. Thx.

Annette

From: Prall-Dillman, Sheila
Sent: Wednesday, December 20, 2017 10:10 AM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Dunn, Andy <Andy.Dunn@dfo-mpo.gc.ca>; Williams, Wendy <Wendy.Williams@dfo-mpo.gc.ca>
Subject: For Review: Draft Record of Discussion - ASC for NARW on Dec. 13th

Hi Annette,

For your review, attached is a draft Record of Discussion from the meeting of the Atlantic Steering Committee for NARW. Please let me know if you have any edits before I send it to the committee for input.

It's not urgent, but if you have time to look at it, I'm hoping to send it out today

Thanks.

Sheila

s.19(1)



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee for the North Atlantic Right Whale (NARW)
Meeting on December 13, 2017
Record of Discussion

In Attendance	
Name	Title
Maritimes Region	
Mary-Ellen Valkenier	Regional Director General (Chair)
Rhea King	Associate Regional Director General
Annette Daley	Regional Director, Ecosystems Management
Wendy Williams	A/Director, Oceans Management
Alain Vézina	Regional Director, Science
Doug Wentzell	Regional Director, Fisheries Management
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
Gulf Region	
Serge Doucet	Regional Director General
Frank Quinn	Regional Director, Fisheries and Aquaculture Management
Quebec Region	
Patrick Vincent	Regional Director General
Newfoundland and Labrador Region	
Kevin Anderson	Regional Director General
Canadian Coast Guard (CCG)	
Julien Gaudet	CCG MCTS Superintendent
National Headquarters	
Philippe Morel	Assistant Deputy Minister, Aquatic Ecosystems
Randy Jenkins	A/Senior Director, Integrated Resource Management, Fisheries Resource Management
Louise Laverdure	A/ Director General, Ecosystem Science
Simon Nadeau	Senior Advisor, Fish Population Science
Corina Busby	Manager, Biologist, Integrated Species at Risk

	TOPIC	LEAD
1.	Welcome and Introductions	Mary-Ellen Valkenier
	Highlights: <ul style="list-style-type: none">Mary-Ellen Valkenier welcomed everyone to this first meeting of the Atlantic Steering Committee for NARW. The committee structure will probably change over time. It is about bringing everyone together to support the coordinated management of NARW. Over the past summer the department worked diligently but in response mode and there was no time for collaborative planning.	



	<ul style="list-style-type: none">Mary-Ellen Valkenier had informally shared the proposed governance model with the Assistant Deputy Ministers (ADMs) for Fisheries and Harbour Management and Ecosystems Science and they had supported it in principle. She had not sent it officially yet as she was awaiting confirmation of the Gulf Region's input on the model and approval of the accompanying memo. Serge Doucet confirmed his support during this meeting. <p>For Action:</p> <ul style="list-style-type: none">Mary-Ellen Valkenier will send the governance framework to the relevant ADMs to confirm their support and their sector participants.	
2.	Objectives and outputs for collaborative governance of NARW in Atlantic Canada	Annette Daley
	<p>Highlights:</p> <ul style="list-style-type: none">The concept of the Atlantic Steering Committee was discussed with and supported by the RDGs in Atlantic Canada at the Atlantic Ocean Results Committee (AORC). The AORC agreed there was a need to improve governance, communications and tasking of activities related to the NARW to shift from response mode to identifying and implementing actions for next year. The AORC had emphasized the importance of recognizing and building upon the work already done, leveraging existing expertise and partnerships, and identifying gaps and solutions.The proposed governance model was intended to ensure appropriate representation of sector leads, recognizing their roles and accountabilities. Working groups were also proposed to distribute work across the regional and national sectors. However, the Steering Committee representatives can change the working group structure if required to support their role in the committee.The Atlantic Steering Committee will share information and provide coherent advice upwards to improve collaborative governance and clarify how decisions will be made to support common approaches across regions. It was agreed that the committee will consider zonal approaches unless there is scientific evidence or significant operational differences to justify different approaches across regions.Sylvie LaPointe, ADM of Fisheries and Harbour Management, will have overall responsibility for coordination related to whales, and sector leads will still be responsible for their sectors.It was confirmed that Patrick Vincent is involving Transport Canada in discussions about measures to avoid vessel interactions with whales. <p>For Action / Further Discussion:</p> <ul style="list-style-type: none">The Atlantic Steering Committee will identify management objectives, risk tolerance levels and triggers for enhanced management action and consider how this advice will be provided to the sector leads and Sylvie LaPointe.The Steering Committee representatives will establish working groups in their assigned area of work. Some working groups already exist and may only need to be expanded to include other regions for a zonal approach. The secretariat will be informed of any changes from the proposed governance model so the framework can be updated.	
3.	Research, Risk Assessment and Monitoring	Louise Laverdure Alain Vezina
	<p>Highlights:</p> <ul style="list-style-type: none">Louise Laverdure reviewed a presentation on the organizational structure and processes for science advice on marine mammals, as well as the detection and research plans for NARW.Jean Landry, Director of Fish Population Science, NHQ, is holding regular meetings with the regional branches of Science to discuss the science work plan and requests for science advice.Optimal deployment of aerial and passive acoustic surveillance capacity in 2018-19 depends on knowing ahead of time the criteria to be employed to modify the fishing and shipping regimes. These are not known at this time. For example, if whale presence is sufficient to alter the fishing/shipping	



	<p>regimes, acoustic data as well as visual or photographic data would be adequate. If number of whales in a given area is needed, only visual and photographic data can be used at this time.</p> <ul style="list-style-type: none">• The aerial surveillance capacity needed to support dynamic management of the slow down requirements as suggested by the shipping industry (i.e., 3-whale threshold resulting in 1-week long speed restriction) is beyond the financial resources expected to be available for NARW.• For commercial fisheries to maintain access to US markets, the department will also need to consider science requirements to demonstrate that measures are in place in Canada that are equivalent to those under the US <i>Marine Mammal Protection Act</i> to reduce bycatch of whales and other marine mammals.• The Canadian Science Advisory Secretariat (CSAS) is setting its schedule and has a placeholder for advice on NARW although it does not have the requests for advice yet. Science expects to have a clearer picture of the number of requests for science advice in January 2018. <p>For Action / Further Discussion:</p> <ul style="list-style-type: none">• It was asked if the Atlantic Steering Committee or the ADM of Fisheries and Harbour Management would apply the policy lens to assist in prioritizing the requests for science advice on NARW. In general, items for decision can be placed on the agenda for the Atlantic Steering Committee, but the committee did not want to cause any delays with normal program operations.	
4.	Fisheries Interactions	Doug Wentzell Frank Quinn
	<p>Highlights:</p> <ul style="list-style-type: none">• Fisheries Management is engaging the fishing industry on possible mitigation measures across the Maritimes and Gulf Regions. They have also invested in training with the Marine Animal Response Society on the identification of whales. Fisheries Management and Science are partnering with the fishing industry on the purchase of hydrophones to help identify when whales are in the area.• There was a Management Planning meeting on December 11-12, 2017, and a number of potential management measures were discussed. A table with an initial feasibility analysis of these measures will be attached to a memorandum to the Minister. The measures will be categorized into avoidance, mitigation and information sharing/data gathering.• Over the past summer, the Gulf Region applied a criterion that any fisheries deeper than 20 fathoms that risked interactions with whales should not open. This led to the whelk and toad crab fisheries not opening and the halibut fishery being modified to require lines to be tended more often. Science advice may be requested on this criterion of 20 fathoms.• The Gulf Region is considering the United States' trigger for taking enhanced action when 3 whales are spotted within 75 nautical miles of an open fishery. However, Gulf Region is planning to take this measure to 3 whales within 150 nm (beyond the US measure) to demonstrate that it exceeds the requirements of the <i>Marine Mammal Protection Act</i>.• At the Management Planning meeting, Science had explained that the United States chose 3 whales within 75 nautical miles as a trigger because it is an indicator of aggregating behaviour, rather than transiting behaviour where the whales would move faster through an area. It was noted that there is a need to develop a common language and reasoning behind the triggers in Canada.• It was noted that there are differences across the Canadian and US fisheries. For example, it can take a week to haul gear in certain fisheries far off the coast of Newfoundland and the whales may have left the area by that time. Also, not all open fisheries pose the same threat to NARW, such as those with light gear that is tended regularly. It was noted that a discussion is also required about what it means to regularly tend gear. <p>For Action / Further Discussion:</p> <ul style="list-style-type: none">• The table with an initial feasibility analysis of potential management measures will be circulated to the committee.• There is a need for further discussion and science advice about the basis for triggers (i.e., fishery deeper than 20 fathoms, 3 whales within 75 nautical miles).	



	<ul style="list-style-type: none">It was suggested that a decision tree be developed to assist in deciding on the level of risk tolerance and triggers for enhanced management actions in different scenarios.	
5.	Vessel Interactions	Patrick Vincent
	<p>Highlights:</p> <ul style="list-style-type: none">Patrick Vincent provided an update on the technical subcommittee that was formed with the shipping industry to consider measures to avoid vessel interactions with NARW. This group involves representatives of shipping interests in Canada and abroad, the cruise industry, Alliance Verte (an environmental certification program for the North American marine industry), Transport Canada, CCG and DFO Science. It was formed under a larger group that met for the first time in Montreal on October 4, 2017.The subcommittee met on November 15th, and decided the industry representatives would prepare a proposal with suggested management measures. A first draft was submitted to DFO and Transport Canada on December 11th. The government representatives will provide initial feedback so the industry members can amend the proposal. It will then be presented to the larger group and resubmitted to the departments, likely in January 2018. A recommendation will then be made to the Ministers, possibly in February, in time for the shipping season and presence of NARW. Transport Canada will also look at other options to recommend to their Minister if the proposal is not entirely suitable. <p>For Action / Further Discussion:</p> <ul style="list-style-type: none">Science advice may be required to review the industry's proposal and it has been shared with the ADM of Ecosystems Science. DFO's capacity to monitor for whales will be a key consideration and the departments will need to be clear with industry about what can and cannot be provided so they can amend their proposal.It was confirmed that the subcommittee is focusing mainly on shipping in the Gulf of St. Lawrence. It may also consider issues in other areas such as the ferry traffic around the Magdalen Islands and the Bay de Chaleur and cruise traffic around Gaspé and PEI.It was noted that Science has recommended that the shipping lane in the Bay of Fundy be reviewed.	
6.	Marine Mammal Response	Serge Doucet Julien Gaudet
	<p>Highlights:</p> <ul style="list-style-type: none">Julie Gaudet explained the CCG's roles with respect to whales. At times, the CCG provides resources for necropsies and assists in removing old gear from the water. More often, they broadcast Notices to Shipping, monitor vessel speeds, and provide information to Transport Canada for prosecutions of speed limit violations. The Notices to Shipping are broadcast continuously until discontinued (most Notices are <u>only</u> broadcast for 7 days). In the past, the CCG focused on oil spills so whales are a new focus but they are adjusting quickly.Challenges include the need for real time information about whale sightings for the Notices; delays in receiving information from the vessel monitoring system (the CCG plans to update this system); and it may not be possible for Transport Canada to impose mandatory restrictions outside Canadian jurisdiction, beyond 12 miles offshore.The CCG would be able to issue Notices to Shipping for sightings of single whales. <p>For Action / Further Discussion:</p> <ul style="list-style-type: none">Serge Doucet will establish a working group immediately to review lessons learned in marine mammal response in preparation for the next Steering Committee meeting. He will also have a small group focus specifically on necropsies.	
7.	Discussion of Next Steps	All
	<p>Highlights:</p>	



- The role of the Atlantic Steering Committee was discussed. It will share information to improve collaboration and will provide advice and recommendations on policy and operational issues. On behalf of the committee, Mary-Ellen Valkenier will convey advice and recommendations to the sector leads and to Sylvie LaPointe as the lead for whales.
- DFO does not have a sector lead on vessel interactions as this is led by Transport Canada. Patrick Vincent and Sylvie LaPointe are the liaisons with Transport Canada.
- The role of the Atlantic Steering Committee will depend in part of the role of the Executive Steering Committee, which will be established shortly.
- The Secretariat will be Sheila Prall Dillman until resources are identified in the new whales program.

For Action / Further Discussion:

- Randy Jenkins will suggest to Adams Burns that his weekly meetings be replaced by the Atlantic Steering Committee, to avoid duplication, as they involve many of the same participants.
- The secretariat will circulate a draft Terms of Reference for the Atlantic Steering Committee for input.

8.	Wrap up and plan for future meetings	Mary-Ellen Valkenier
	<ul style="list-style-type: none">• The committee will meet biweekly initially. The frequency will be reviewed once a coordinated management plan is in place for the spring of 2018.• The next meeting will be in the first week after the holidays (subsequently set for January 3, 2018).	

Snow, Anne E

From: Sweet, Marilyn
Sent: December-22-17 11:19 AM
To: Berthier, Jacinta; Potter, Ted; Wentzell, Doug; Grace, Michael; Daley, Annette; Williams, Wendy; Merriman, Catherine B; Schaefer, Heidi; Higginson, Simon; Moors-Murphy, Hilary; Niven, Sherry; Hayden, Jazmine; Craig, Mark; Buott-Matheson, Debra
Subject: Right Whale response over holidays/contacts
Attachments: Right Whale Management Entanglement Prevention Measures-draft Dec 2017.docx; Upcoming fisheries summer-fall 2017.xlsx

Hello everyone,

As there will be fewer people in the office next week, I am sending a list of people that have provided their number as either being in the office or available by phone in the event of a Right Whale incident. I'm including MARS and CWRT's numbers as well.

Attached above (excel) is a list of fisheries in the Maritimes, including opening/closed times, location and the number of licences. In the case of an event, the senior advisor for active fisheries should be consulted to ensure the information in the table is accurate and provide advice.

I am also attaching (word document) a draft protocol for steps to follow if/when whales move into our waters, more specifically if active fishing is occurring.

This protocol is draft. It has been reviewed by all sectors but still needs some work before being finalized. That said, it will offer some guidance as to what needs to be done in the event of an emergency. The core contact list noted in the document consists of the following list of people. They would be the core group to be contacted in an event and would be the point of contact for their sector. This would (hopefully) reduce the amount of reply-all messages going around.

Marilyn Sweet
Scott Coffen-Smout
Mike Grace
Hilary Moors-Murphy
Jazmine Hayden
Catherine Merriman

While this would typically be who you would contact, alternatives below will likely be a better bet over the holidays. Please copy those on the core list as well in the event of an incident.

RM:
Jactina Berthier (902 240 3967)
Ted Potter (902 456 4090)

Communications:
Steve Bornais (902 471 6797)

Conservation and Protection:
CCG 24-hour emergency number (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

Science:

Sherry Niven: (902) 225-6005
Simon Higginson: (902) 580-7425

SARMD:

CWRT:
1-506-752-1985/ 1-508-237-3852

MARS:
1-866-567-6277

Happy holidays everyone!
Mar

Marilyn Sweet
Senior Advisor | Conseillère principale
Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada |
Pêches et Océans Canada
1 Challenger Dr | 1 promenade Challenger
PO Box 1006 | C.P. 1006
Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2
(902)-221-7269
Marilyn.Sweet@dfo-mpo.gc.ca

Right Whale Management Entanglement Prevention Measures

When the Department is made aware of North Atlantic Right Whales migrating through active fishing areas in our region, one of three responses actions will be triggered based on the following scenarios. These scenarios will not necessarily follow the sequence as outlined below:



Scenario A: Single Sighting of a NARW

Sightings of NARWs are transmitted to DFO via xmarwhalesightings@dfo-mpo.gc.ca or call 1-844-800-8568 for inclusion in a database.

When DFO receives notice of NARWs in Maritimes waters, fishers will be made aware of these sightings through the following mechanisms:

1. **RM** Advise external contact list that whales have been located in our area (action: contact lists to be developed of Mar region fleets and associations to be alerted. Divided by 3 area office areas?)
2. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast. Notice is to be repeated for a 36h period

Comment [MS1]: Clarity required on who sends/writes/approves. NotFish are done by RM. What about Not Ships?

Scenario B: Three Confirmed Sighting of NARW in a 75 Nautical Mile area

When there are 3 confirmed visual sightings of NARWs within 75 NM, enhanced monitoring of the presence of NARWs will commence. Confirmed sightings could be through visual observation by C&P flights or vessels, TC flights, CCG vessels, Whale Watching Groups, etc. Ideally, confirmation of detections would include visual images. If NARWs are detected acoustically, surveillance will be directed to the area if available.

This scenario will include the following steps:

1. **RM** Advise internal "core contact list" that whales have been located in our area (list included below includes a representative from RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the "core contact list" from each group will then trigger the required response for their sector as outlined below
2. **RM (MIMC)**
 - a. Daily calls will be set up with the core team of representatives while whales are present
 - b. Regional /NHQ counterparts will be informed of actions and kept informed of changes
 - c. Inform partners in response organizations of possible movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
 - d. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
 - e. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that enhances surveillance will start and request support from fishers in reporting sightings.
3. **C&P**
 - a. Enhance surveillance of areas where NARWs have been sighted and relay sighting information back to the "core contact list". It should be confirmed that Science receives the sightings information and it is included in the database.
 - b. May be required to pull lost gear that is found in the water

4. **Communications**

- a. Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

5. **Science**

- a. Provide input/advice to Resource Management
- b. Coordinate surveillance with C&P/TC and external partners

6. **SARMD**

- a. Liaise with NOAA (upon advice from NHO)
- b. Draft NotShip

Scenario C: Fisheries Management actions discussed

When 3 or more NARWs are visually sighted in close proximity to fishing gear or moving in the direction of active fishing areas, decisive action is required to help reduce the risk of entanglements. The following steps are suggested:

1. **RM (MMC)** Advise internal "core contact list" that whales have been located in our area (list to be developed and include- RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the "core contact list" from each group will then trigger the required response for their sector as outlined below
2. **MMC** to coordinate a call with the core team of representatives:
 - a. Regional/NHQ counterparts will be informed of actions and kept informed of changes
 - b. Inform partners in response organizations of movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
 - c. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
 - d. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that measures may be taken and request support from fishers in reporting sightings

- iv. RM to begin drafting Variation Orders

3. Core Team/ Subject Matter Experts (from 2)

The following questions will need to be discussed with relation to the specifics of the situation:

- a. What fisheries are active in the area where whales are present?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in what area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types.
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk; how much time should be given for gear to be removed? Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, when is it considered "safe" to reopen the fisheries? Is there a length of time without sightings that should be considered?

4. Following discussions and when deemed appropriate, Variation Orders will be issued to close implicated fisheries.

RM to advise implicated fleets of impending closures

- a. RM advisors to contact their respective fleet representatives and advise of the situation
- b. Set up daily meetings with core team to update on the situation and monitor the movement of whales in Maritimes' waters
- c. Update closure plans as required

5. C&P

- a. Variation Orders for closures (if required) are prepared with RM
- b. Request increased surveillance in areas impacted by management measures
- c. C&P may be required to pull gear that is left in the water if fisheries are requested to remove.
 - i. What is done to licence holders that do not comply with the VO to remove gear?

6. Communications

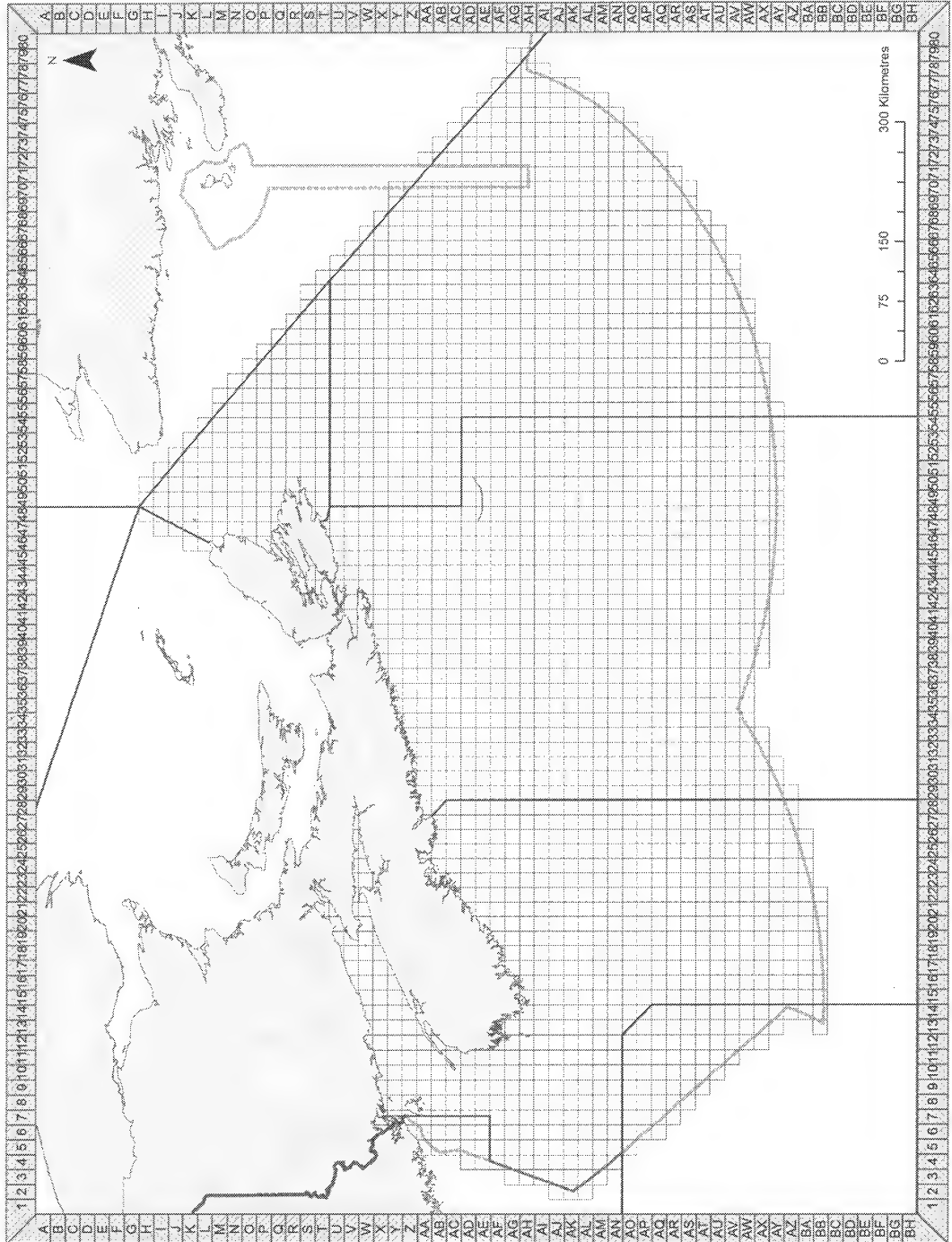
- a. Communications to advise media of the Department's approach to minimizing risk of interaction with fisheries and relaying possible closure information.
- b. Post information on social media (variation orders, closure information, etc).
- c. Outreach to media networks through email and phone

7. Science

- a. Assess if whales are likely transiting through/foraging/mating, based on past studies
- b. Assist in predictive modeling of where whale may move (based on past years, foraging grounds, etc)
- c. Provide input on depths to be considered for closures

8. SARMD

- a. Liaise with NOAA (upon advice from NHQ)
- b. Draft Notship



Annex A: Contact lists

External Contact List:
To be created

Core Contact List:
Managed by Marilyn Sweet, RM



Core Contact List
-NARW.msg

Snow, Anne E

Contact Group Name:

Core Contact List -NARW

No information has been removed or severed from this page

Members:

Coffen-Smout, Scott
Craig, Mark
Grace, Michael
Merriman, Catherine B
Sweet, Marilyn
Vanderlaan, Angelia S.

Scott.Coffen-Smout@dfo-mpo.gc.ca
Mark.Craig@dfo-mpo.gc.ca
Michael.Grace@dfo-mpo.gc.ca
Catherine.Merriman@dfo-mpo.gc.ca
Marilyn.Sweet@dfo-mpo.gc.ca
Angelia.Vanderlaan@dfo-mpo.gc.ca

Region	NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Science Observations
Maritimes	4VWX	Atlantic halibut	Longline		Year-round		
Maritimes	4VX5z	Groundfish	Gillnet		Year-round		
Maritimes	4X5	Groundfish	Longline		Year-round		
Maritimes	4Vn	Atlantic halibut	Longline		varies - expect to open in Sept		
Maritimes	4T	Atlantic halibut	Longline		varies - expect to open in July 2017 or April 2018	now	
Maritimes	LFA27	Lobster	Traps/pots	481 licences	May 14	Jul 14	
Maritimes	LFA 28	Lobster	Traps/pots	14 licences	Apr 30	Jun 30	
Maritimes	LFA 29	Lobster	Traps/pots	63 licences	Apr 30	Jun 30	
Maritimes	LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20	
Maritimes	LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30	
Maritimes	LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20	
Maritimes	LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20	
Maritimes	LFA 33	Lobster	Traps/pots	695 licences	Nov 30	May 31	
Maritimes	LFA 34	Lobster	Traps/pots	979 licences	Nov 30	May 31	
Maritimes	LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31	
Maritimes	LFA 36	Lobster	Traps/pots	177 licences	Nov 10	Jun 29	
Maritimes	LFA 38	Lobster	Traps/pots	136 licences	Nov 10	Jun 29	
Maritimes	Grey Zone	Lobster	Traps/pots				
Maritimes	LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31	
Maritimes		Hagfish	Traps/pots				
Maritimes		Herring	Gillnet		Year round but active Summer/Fall		
Maritimes		Whelk/inshore	Traps		Late Summer/Fall		
Maritimes		Whelk/offshore	Traps	700 traps	Late Summer/Fall		
Maritimes		Large Pelagics	Longline	Approx 45 active licences	June-November	Dec 31	
Maritimes		Mackerel	Gillnet		Active early summer-November		
Maritimes	CB Area	Mackerel	Trapnet		Early Summer-November		
Maritimes	CB Area	Herring	Trapnet		Early Summer-November		
Maritimes	CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 16 - May 15 & July 22- Aug 22		
Maritimes	CFA 23	Snow crab	Traps/pots	62 licences	Mar 23	Aug 31	
Maritimes	CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31	
Maritimes	CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31	
Maritimes	LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17	
Maritimes	LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10	
Maritimes	LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31	
Maritimes	LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31	
Maritimes	LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31	
Maritimes	LFA 29,31a,31b	Rock Crab	Traps	12 licences	Aug 07	Dec 31	
Maritimes	LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22	
Maritimes	LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07	
Maritimes	LFA 36	Rock Crab	Traps	5 licences	Mar 01	Oct 31	
Maritimes	4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Mar 01	Dec 31	

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: December-29-17 12:23 PM
To: Daley, Annette
Subject: RE: 2017-201-0071 - Governance Model for North Atlantic Right Whale
Attachments: MECTS-#3859378-v2-Presentation_on_Coordination_of_Research__Monitoring_a...ppt;
Tab 1 - Terms of Reference - NARW Atlantic Steering Committee (draft
2017-12-29).docx

Thank you for sharing this. I have updated the governance model that is annexed to the draft TOR to try to reflect Arran's comments on how information would flow through Jean Landry and the existing committees in Science. Louise's presentation included the names of the chairs (see the notes page on slide 4). I assume that Sherry chairs the NARW Research Coordination Group, since she led the Science Work Planning meeting. Would you like me to send this to Alain and Louise to validate?

I have not received any comments on the draft Terms of Reference so far, but I only asked that people respond before the meeting, if possible.

From: Daley, Annette
Sent: December-29-17 11:49 AM
To: Prall-Dillman, Sheila
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale

fyi

Annette

From: Ryan, Patricia **On Behalf Of** McPherson, Arran
Sent: Friday, December 29, 2017 11:41 AM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: White, Andrea <Andrea.White@dfo-mpo.gc.ca>; Armstrong, Carolyn <Carolyn.Armstrong@dfo-mpo.gc.ca>
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale

Hello,

I wasn't sure if you would receive this or not, so just to close the loop, here is EOSS response.

Thank you.
Patricia Ryan

A/Scheduling Coordinator/ Coordonnatrice de l'agenda interim
Assistant Deputy Minister's Office/ Bureau du Sous-ministre adjoint
Ecosystems and Oceans Science Sector/ Secteur des sciences , des écosystèmes et des océans
Fisheries and Oceans Canada / Government of Canada
Pêches et Océans Canada / Gouvernement du Canada
Patricia.Ryan@dfo-mpo.gc.ca / Tel: 613-990-7107

From: McPherson, Arran
Sent: December-29-17 8:18 AM

To: Valkenier, Mary-Ellen
Cc: Lapointe, Sylvie; Laverdure, Louise; Landry, Jean
Subject: RE: 2017-201-0071 - Governance Model for North Atlantic Right Whale

Hi Mary-Ellen, happy holidays! Thank you so much for this work. I think that this document well lays out the various pieces of work that are needed and who, by in large will do it – all respecting individual accountabilities.

There are a few points I wanted to raise (or emphasize) related both to the document as well as to the discussion at the ADM-RDG coordinating committee meeting that took place before Christmas.

The first relates to marine mammal science, which is integrated through the regions (including in terms of peer review, monitoring and research) much more so than many of our other science programs. There is a national centre of expertise which reflects the limited number of experts and resources (as well a huge mandate).

For that reason, I continue to support an approach where marine mammal science is coordinated across regions (to reflect that expertise might need to be drawn from a zonal or even national level). To that end, Jean Landry (Director, Fisheries Population Science), has worked with Regional Directors and identified regional science leads for Right Whale in response to what has happened and what Science will need to accomplish. I see this group as largely being the group that must continue to be connected with each of the management working groups to ensure that science needs/desires are well articulated and understood.

I would then see those science needs or operational plans (with the support of the Regional Directors of Science) making its way, as your model describes, through Alain and Louise (DG, Ecosystem Science) to the Atlantic zonal steering committee for consideration. I think the process I have described above is largely consistent with the governance you have laid out, but I wanted to ensure we were both on the same page and weren't duplicating working groups that are already in place.

The one thing I am not fully clear on is how this group links with the national committees. For example, when Annette described it last week, I understood her to explain the Atlantic committee as making recommendations to the national group but based on the governance schematic and descriptions, the Atlantic zonal group is meant to be the decision-making body.

I raise this because for Science in particular, it will be critical to have all of the needs on the table (TCs, Fish Mgmts, C&Ps etc) to ensure we are setting priorities collectively, managing expectations internally and externally, and deploying our science resources in an optimal way.

I know that Jean will be participating for Louise at next week's Atlantic zonal meeting – however, in the meantime, if you'd like to chat further about any of my comments, I am happy to give you a call. Thanks for your leadership on this. Arran.

From: Rossignol, Pauline **On Behalf Of** Valkenier, Mary-Ellen

Sent: Tuesday, December 19, 2017 2:12 PM

To: Swerdfager, Trevor <Trevor.Swerdfager@dfo-mpo.gc.ca>; McPherson, Arran <Arran.McPherson@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Morel, Philippe <Philippe.Morel@dfo-mpo.gc.ca>

Cc: Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Anderson, Kevin <Kevin.Anderson@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Winfield, Nicholas <Nicholas.Winfield@dfo-mpo.gc.ca>; Wheatley, Michelle <Michelle.Wheatley@dfo-mpo.gc.ca>; Laverdure, Louise <Louise.Laverdure@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>

Subject: 2017-201-0071 - Governance Model for North Atlantic Right Whale

Please see attached memorandum on the Governance Model for North Atlantic Right Whale. /

Prière de voir la note de service ci-jointe sur le Modèle de gouvernance pour la baleine noire de l'Atlantique Nord.

Thank you / Merci.

Mary-Ellen Valkenier

Regional Director-General/Directrice générale régionale

Maritimes Region/Région des Maritimes

Fisheries and Oceans Canada | Pêches et Océans Canada

P.O. Box 1006 | C.P. 1006

1 Challenger Drive, Dartmouth, NS | 1, rue Challenger, Dartmouth, (N-É) B2Y 4A2

mary-ellen.valkenier@dfo-mpo.gc.ca

Telephone | Téléphone 902 426-2581

Facsimile | Télécopieur 902 426-5034

Government of Canada | Gouvernement du Canada



Fisheries and Oceans
Canada

Pêches et Océans
Canada

North Atlantic Right Whale Research, Science and Monitoring

NARW Steering Committee
December 13, 2017



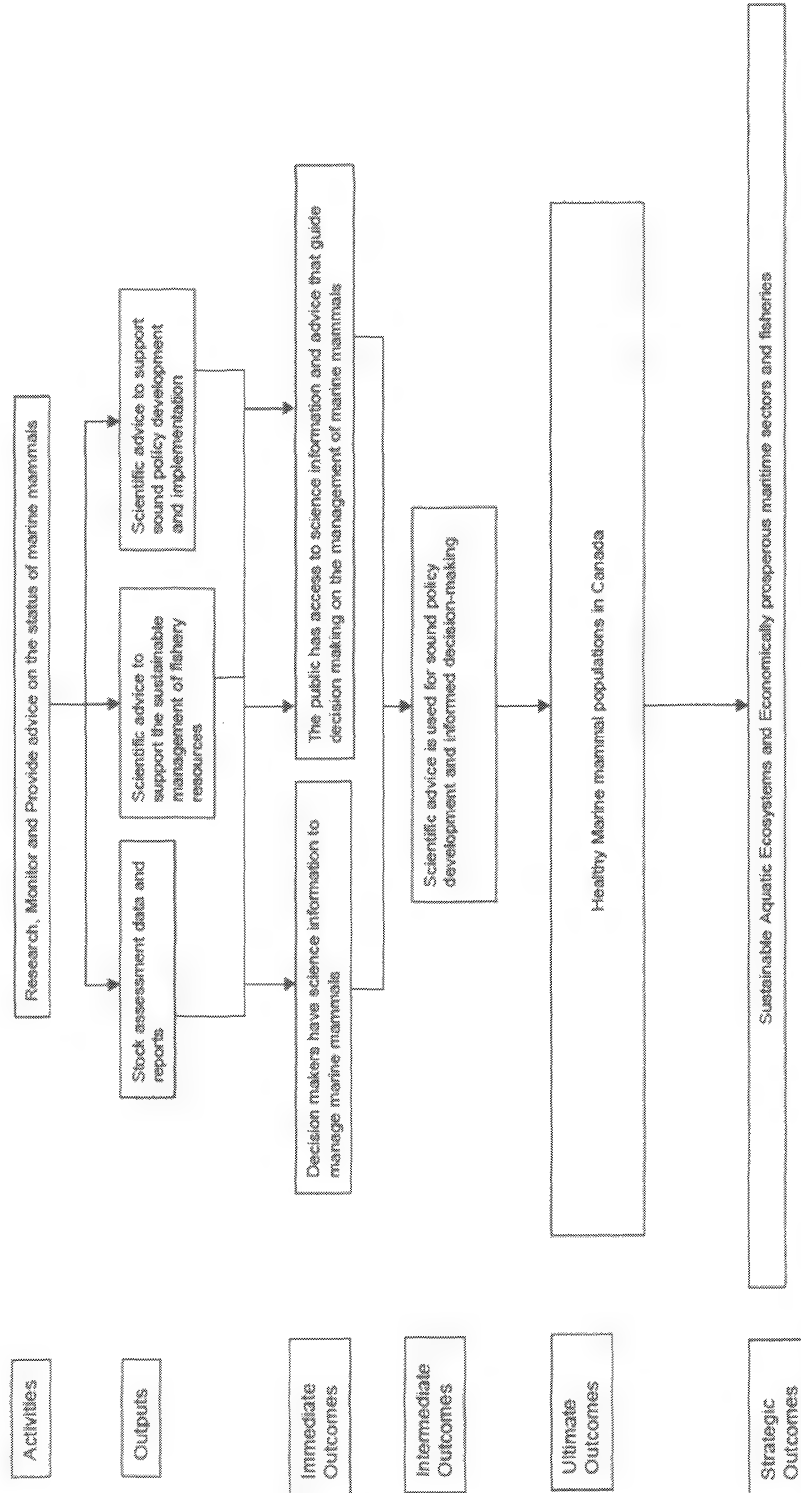
Outline

- Marine Mammals Science mandate and structure
- Advice
- Detection plans
- NARW Research
- Discussion points



DFO Marine Mammal Science

Draft Logic Model: Marine Mammal Program



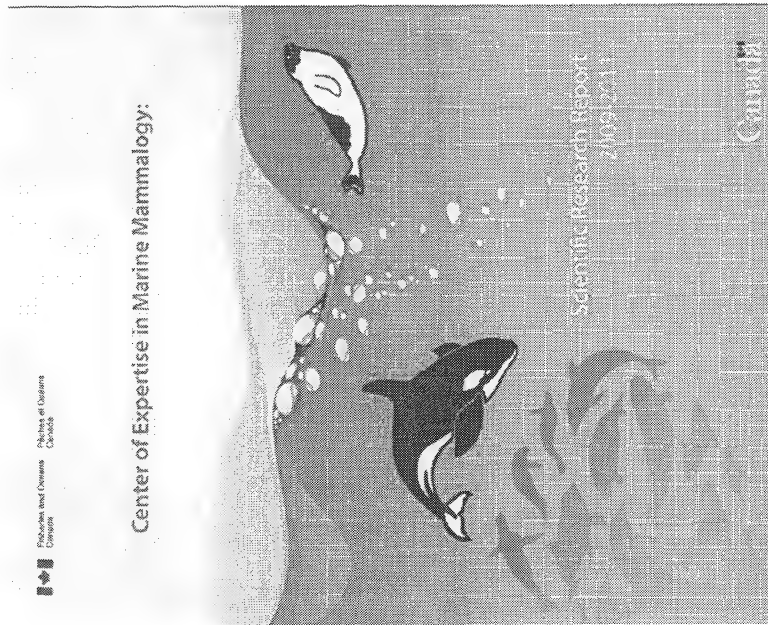


Fisheries and Oceans
Canada

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Canada

National DFO Marine Mammal Science

Structures



National Marine Mammal
Peer Review Committee (NMIMPRC)

February 26 - March 2, 2018

Northwest Atlantic International Sighting Survey (NAISS) of
Marine Megafauna on the Continental Shelf From Northern
Labrador to the Bay of Fundy

NATIONAL CAPITAL REGION

Postma, Lianne and Stenson, Garry
Co-Chairs

Abraham, Christine
Contact

Expected Publications: Science Advisory Report,
Research Document and Proceedings

Canada



SCIENCE ADVICE ON TIMING OF THE MANDATORY SLOW-DOWN ZONE FOR SHIPPING TRAFFIC IN THE GULF OF ST. LAWRENCE TO PROTECT THE NORTH ATLANTIC RIGHT WHALE

Context

In Canada, the North Atlantic Right Whale (NARW) is listed as Endangered under Schedule I of the *Species at Risk Act* (SARA), resulting in legal protection of the species and mandatory recovery planning. In Canada, recovery actions associated with NARW are managed and/or administered by Fisheries and Oceans Canada (DFO), and are outlined in the NARW "Recovery Strategy" (DFO 2014) and proposed "Action Plan" (DFO 2016). The objectives of the NARW recovery strategy include reducing mortality and injury as a result of vessel strikes, and entanglements in fishing gear (DFO 2014). The two most practical methods for decreasing the possibility of vessels striking a whale include altering traffic routes and reducing vessel speeds to decrease probability of lethal or serious injury when collisions occur (Vanderlaan et al. 2008). The two approaches to reduce entanglement injury and mortality outlined in the proposed Action Plan are the prevention/reduction of interaction with fishing gear and response to entanglement incidents (DFO 2016).

- DFO Science planning to generate new information to provide better advice to support management of shipping and fishing activities.



Current NARW Detection Platforms

- Open access to TC Dash 8 for NARW detection, but weather conditions severely limit ability to detect whales.
- Dalhousie Slocum glider to be redeployed on the Scotian Shelf in December 2017



NARW 2018-19 Aerial Survey Plan

- 3 options fleshed out through CEMAM.
- Counting on a contracted Twin Otter for 7 months, plus existing support from TC (Dash 8) and on NOAA's Twin Otter. Spatio-temporal optimization of coverage TBD.
- Requires contribution of personnel from all Atlantic regions. Quick staffing up of MM observers needed.
- [REDACTED]
- Twin Otter Contract to be posted on Merxx imminently.



Other Detection Plans 2018-19

- Support continued deployment of gliders with real-time PAM packages
- A plan is being developed to augment and optimize the existing array of Passive Acoustic Monitoring devices in the Gulf of St. Lawrence.
- Also, PAM research planned, including:
 - Conducting a feasibility study on real-time PAM options (winter 2018)
 - Potentially conducting a test deployment of a fixed real-time PAM station in GSL (summer 2018)
 - Continuing to expand real-time PAM efforts as available resources allow.



Other Detection plans 2018-19 (Cont'd)

- Targeted outreach to increase reporting of opportunistic NARW sightings (short-term, spring/summer 2018)
- Train sea-going personnel in cetacean identification (short-term, spring/summer 2018)
- Develop a protocol for collection and distribution of sightings/detections in near real-time (short-term, spring 2018)
- Develop an online platform to display sightings in near real-time (short-term, spring 2018)



NARW Research

- Analyze currently existing acoustic data sets for presence of whale calls (2018-19, in collaboration with Taggart lab, JASCO)
- Continue to advance NARW prey distribution and habitat suitability models
- O&M for new research quite limited.



Evaluate Effectiveness of Mitigation

- Conduct necropsies on NARW mortalities to determine cause of death
- Track entanglements, mortalities, other incidents and cause of injuries or death over time to evaluate the effectiveness of mitigation measures
- Assess compliance with mitigation measures to contribute to the evaluation of effectiveness and when feasible, to examine reduction in risk as a result of implementation.



Discussion

- Optimal deployment of aerial and passive acoustic surveillance capacity in 2018-19 depends on knowing ahead of time the criteria to be employed to modify the fishing and shipping regimes. These are not known at this time.
- Aerial surveys should allow to detect smaller marine mammals for MMPA purposes.
- All requests for Science Advice will be coming from and submitted to the 'Atlantic Steering Committee for the NARW'.



Annex

Marine Mammal HR Capacity

s.69(1)(g) re: (a)

Region	In Place Now
Nfl	7
Mar	10
Gulf	1
QC	11
Total FTE	28

- 6 additional FTEs coming in soon in Maritimes and Quebec.
-
- Existing HR capacity needs to be aligned with highest priority activities.

Atlantic Steering Committee for the North Atlantic Right Whale **Terms of Reference**

INTRODUCTION

Fisheries and Oceans Canada (DFO) has established an integrated governance strategy to facilitate a coordinated approach to the management of North Atlantic Right Whale (NARW), Southern Resident Killer Whale and the St. Lawrence Estuary Beluga. Currently, there are a number of sectors and directorates who have involvement in aspects of the whale files at both the regional and national levels. There are also other federal departments in Canada, the government of the United States, various academic and non-governmental organizations, and international bodies with significant roles in various aspects of the whale file.

Reporting to the national DFO Executive Steering Committee, the Atlantic Steering Committee for the NARW will provide oversight to the development and coordination of measures to prevent mortality and to reduce harm to the NARW across Atlantic Canada.

PURPOSE

There is a need for immediate management intervention to reduce human-induced mortalities of NARW in Canada by addressing threats from vessel strikes and fishing gear. The Atlantic Steering Committee will provide coordination, advice and recommendations for the Executive Steering Committee to ensure that effective measures are in place for the spring of 2018 and beyond related to:

- **Research, Risk Assessment and Monitoring:** including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance
- **Threat Mitigation (Fishery Interaction and Vessel Interaction):** including technology development and innovation relating to gear, detection, threat/contact avoidance
- **Marine Mammal and Incident Response:** including the development of zonal protocols

SCOPE

The Atlantic Steering Committee will focus on the NARW throughout its range in Canadian waters, including the Grand Manan Basin (Bay of Fundy), Roseway Basin (southwestern Nova Scotia), the Gulf of St. Lawrence and the western coast of Newfoundland and Labrador. It will also consider potential impacts and benefits of proposed measures to other species, particularly other protected marine mammals.

MEMBERSHIP

The Atlantic Steering Committee is chaired by the Regional Director General, Maritimes Region. Each member of the Steering Committee is responsible for coordinating the identification and development of recommendations for a key target area of work and for representing that area of work at the Steering Committee. The Steering Committee representatives associated with the key areas are as follows:

Research, Risk Assessment and Monitoring

- Director General, Ecosystems Science, National Headquarters
- Regional Director, Science, Maritimes Region

Fishery Interaction

- Regional Director, Fisheries Management, Maritimes Region
- Regional Director, Fisheries and Aquaculture Management, Gulf Region

Vessel Interaction

- Regional Director General, Quebec Region
- Director General, Environmental Policy, Transport Canada

Marine Mammal Response

- Regional Director General, Gulf Region
- Superintendent, Marine Communications and Traffic Services, Canadian Coast Guard

Recovery

- Director General, Ecosystem Management, National Headquarters
- Regional Director, Ecosystems Management, Maritimes Region

The Director General, Fisheries Resource Management, also participates to make connections between the Executive Steering Committee and the other regional committees for protected whales.

Alternates:

If the Chair is unable to attend, she will identify an alternate chair among the Steering Committee representatives prior to the meeting.

If a Steering Committee representative is unable to attend, he/she will identify a suitable alternate and inform the secretariat prior to the meeting. If both Steering Committee representatives for a key task have identified alternates for a meeting, discussion of that task may be deferred to the following meeting at the discretion of the Chair.

Guests and Observers:

Other participants may be invited to attend on an *ad hoc* basis and observers may attend meetings at the discretion of the Steering Committee representatives.

WORKING GROUPS

The Steering Committee representatives are responsible for overseeing zonal (i.e., Atlantic wide) working groups to develop, recommend and implement science and management work plans for their respective key tasks. Regional working groups may also be established to support the key tasks. The chairs of the working groups are responsible for communicating progress updates and advice to the relevant Steering Committee representatives.

A proposed working group structure is identified in the governance model at Annex A. The structure, membership and operations of the zonal and regional working groups may be changed at the discretion of the relevant Steering Committee representatives. Annex A will be updated to reflect the changes as required.

ACCOUNTABILITY

Operational accountability for delivery of whale programs and projects remains with the existing lead sector, region and/or organization.

The Atlantic Steering Committee provides functional oversight to facilitate a coordinated approach to the management of NARW across sectors, regions and national headquarters. This means the Steering Committee representatives will collaborate with the relevant regional and sectoral leads to promote, develop and implement a coordinated zonal approach.

On behalf of the Atlantic Steering Committee, the Chair will report to and provide recommendations to the Executive Steering Committee as part of the integrated governance structure for protected whales.

The Atlantic Steering Committee can make decisions on matters within the members' respective accountabilities and with zonal implications such as tasking appropriate officials and working groups, authorizing interregional meetings and planning processes, approving work plans and allocating resources within existing budgets.

Where there are potentially broader considerations for other whale species and other programs or regions, the Atlantic Steering Committee will provide advice and recommendations to the Executive Steering Committee.

OPERATING PRINCIPLES

As the distribution of the North Atlantic Right Whale appears to be changing and aggregations could appear in the waters of any region in Atlantic Canada, the Atlantic

Steering Committee will promote zonal (Atlantic-wide) approaches to the scientific study and management of the NARW, to the greatest extent possible.

Recommendations to the Executive Steering Committee will be made by consensus where possible. If agreement cannot be reached among the Atlantic Steering Committee members, the committee will provide written advice and seek direction from the Executive Steering Committee and the relevant national sector lead.

ADMINISTRATION

Tenure

The Atlantic Steering Committee will meet for one year, from January to December 2018, to coordinate the development, implementation and review of zonal management measures to mitigate risks from fishery interactions and vessel interactions and zonal protocols for marine mammal response. After one year, the need for the committee will be evaluated.

Meeting frequency and format

Meetings will initially be held bi-weekly via conference call. The meeting frequency will be reconsidered when zonal management measures and zonal protocols are developed for the spring of 2018.

Should additional meetings or in-person meetings be required, they will be arranged on an *ad hoc* basis.

Secretariat

Policy and Economics, Maritimes Region, will initially provide secretariat services to the committee until human resources associated with the new whale program are staffed.

Meeting Materials

The secretariat will draft meeting agendas based on input from Steering Committee representatives and will prepare a record of decisions for each meeting.

Meeting materials should be forwarded to the secretariat for distribution to the committee prior to the meeting, at least three working days in advance, where possible.

This is a bilingual committee. Draft materials will be distributed in the language of origin and final materials will be translated in both official languages, when practical.

Amendments

These Terms of Reference may be amended at any time, provided there is unanimous agreement among committee members.

Atlantic Steering Committee for the North Atlantic Right Whale

Annex A - Proposed Model for Coordinated and Collaborative Management of Protected Whales

National ADM/RDG Whales Oversight Committee	Chair: ADM FHM, Members: ADM FM (Risk Reduction), ADM Science (Risk and Recovery), ADM EM (Recovery), RDG MAR (NARW), RDG Quebec (SLBeluga), RDG BC (SRKW), others?
Purpose:	Goals/Objectives: <ul style="list-style-type: none">- Proposed Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance- Threat Mitigation (Fishery Interaction, Vessel Interaction, MEQ and Contaminants, Prey Availability): including technology development /innovation relating to gear, detection, threat/contact avoidance- Marine Mammal and Incident Response
Discussions monthly to March 2019	
Atlantic Steering Committee for the North Atlantic Right Whale (DFO)	Chair: RDG Maritimes Region – Mary-Ellen Valkenier, Secretariat: P&E MAR – Sheila Prall Dillman Members: Risk Reduction: DG Science – Louise Laverdure, RD Science – Alain Vezina, DG FM – Adam Burns, RD FM – Doug Wentzell, RD FM Gulf – Frank Quinn, RDG Quebec – Patrick Vincent, DG Environmental Policy, TC – Ellen Burack, RDG Gulf – Serge Doucet, RD Navigational Programs CCG: Dan Nickle, RDG NL: Kevin Anderson; Recovery: DG EM – Nick Winfield (or Director SAR Program), RD EM MAR – Annette Daley (NARW SAR Lead Region)
To meet biweekly to March 2019	Goals/Objectives: <ul style="list-style-type: none">- Risk Reduction for NARW- Reduction of Injury- Prevention of Mortality Reduction of Risks to SAR Protected Marine Mammals Recovery of NARW
Steering Committee functional leads: Purpose: To coordinate the identification and development of zonal recommendations related to each of the key tasks identified and represent them at the Steering Committee. <ul style="list-style-type: none">- Research, Risk assessment and Monitoring- Threat Mitigation- Response	Research, Risk assessment and Monitoring Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance (Atlantic zonal approach, focus on GSL) SC representation: Science DG (NHQ): Louise Laverdure RD Science MAR: Alain Vezina Chair: Director of Fisheries Population Science (Jean Landry), working with RDs of Science and groups within Science that involve participation across DFO regions, including: <ul style="list-style-type: none">• The NARW Research Coordination Group (chair: Sherry Niven?)• The Centre of Expertise on Marine Mammals (chaired by Mike Hammill)• The National Marine Mammal Peer Review Committee (co-chaired by Gary Stenson and Lianne Postma) Co-Chairs: <ul style="list-style-type: none">–Manager Science MAR: Sherry Niven–Director Science Gulf: Doug Bliss Zonal WG: One member from each Region
Atlantic Working Groups Purpose: To identify science and management plans and solutions for each of the key tasks and communicate them to the Steering Committee leads. To meet regularly to March 2019	Threat Mitigation Threat Mitigation (Fishery Interaction, Vessel Interaction): including technology development and innovation relating to gear, detection, threat/contact avoidance Fishery Interaction (Atlantic Zonal approach with coordination of Regional WGs) SC representation: RD FM MAR: Doug Wentzell RD FM Gulf: Frank Quinn Co Chairs: <ul style="list-style-type: none">- Director/Manager RM, Quebec Region:- Director/Manager SAR MAR: Donald Humphrey Two members from each Region: RM: Section Head EM: SARMD Section Head Co-Chairs: <ul style="list-style-type: none">- Director or Manager SAR, Gulf or Quebec- Director or Manager TC Interdepartmental Technical Sub-Committee <ul style="list-style-type: none">- Focus on GSL (Gulf and Quebec), including MAR (BoF, Roseway Basin) and NL- DFO Regional Representatives MAR, Gulf, Que, NL + TC (+industry?), CCG (Marine Communication) Co-Chairs: <ul style="list-style-type: none">- Director MMRP NHQ: Randy Jenkins- Director C&P NHQ: Judy Dwyer (or NL?) One member from each Region plus a CCG member.

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Draft as of December 27, 2017

Regional Working Groups	MAR, Gulf, Que, NL	Co-Chairs:				Regional Response Networks (Zonal Protocols)			
		RM, MMR Coordinator	EM, SARMD Coordinator	Que. WG	NL WG	RM, MMR Coordinators	Que.	NL	
Purpose: To provide advice, engage stakeholders, deliver on plans and implement decisions. To meet regularly to March 2019									

DRAFT

MacLellan, Elizabeth

From: Daley, Annette
Sent: January-04-18 12:34 PM
To: Prall-Dillman, Sheila
Subject: RE: For Review: draft input for Situation Report on NARW
Attachments: Record of Discussion - ASC for NARW Jan 3 2018 (draft 2018-01-03) asd comments.docx

My comments on the RoD attached. So please send the revised RoD and ToR to the SC when you are ready to. Thanks for doing all of that so quickly – I did not expect to you have it done right away, but thanks for your effort in doing that.

Annette

From: Prall-Dillman, Sheila
Sent: Thursday, January 4, 2018 9:39 AM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>
Subject: RE: For Review: draft input for Situation Report on NARW

Hi Annette and Jen,

Given the tight deadline for the Sit-Report, which I understand is due tomorrow at noon, I think it may be more efficient if the committee is only asked to review the draft Sit-Report today (instead of reviewing the regional input and then the sit-report). That's partly because the "regional" input on NARW includes points related to NHQ which may be reframed in the sit-report anyway.

If you agree, perhaps Annette could review the points below for Jen to include in the draft sit-report. Then Jen or I could send it to the committee asking them to respond to Jen by noon tomorrow, copying Mary-Ellen and Annette. If either of you could forward any edits to me, I will ensure they are reflected in the record of the discussion as well.

Annette, I have also revised the committee's Terms of Reference based on the discussion yesterday. I removed the track changes in the governance model so it's easier to read. Would you like me to send the draft ToR and RoD to the committee for input by noon on January 9th, so Mary-Ellen can share it with Sylvie for the national meeting on January 10th?

Sheila

From: Prall-Dillman, Sheila
Sent: January-03-18 6:38 PM
To: Daley, Annette
Cc: Buie, Jennifer
Subject: For Review: draft input for Situation Report on NARW

Hi Annette,

For your review, below are draft points for the situation report using the approach that Jen suggested. This is based on the attached draft Record of Discussion from the meeting today. I have included some points that Adam Burns raised, although Jen may wish to report those differently for her group. Please let me know if you have any changes before I circulate these points and the record to the committee for input. Thank you.

Sheila

NARW Governance

The Atlantic Steering Committee on NARW had its second meeting on January 3, 2018. Its Terms of Reference will explicitly state that existing accountabilities and decision-making processes are unchanged, and the committee's role is to contribute to a coherent department-wide approach for NARW under the Whales Senior Executive Steering Committee. The proposed governance model is being refined to ensure the appropriate people are involved for increased collaboration, e.g., Science has asked to be included in each of the groups.

Fisheries Interactions

The Maritimes and Gulf Regions are continuing to engage industry on the potential management measures for 2017-18. Resource Management, NHQ, has organized a conference call for January 5, 2018, to discuss the development of risk tolerances for mitigation measures. This may also be discussed at an FMOC meeting. The Marine Mammal Coordinators are also continuing related discussions, for example, the development of common principles.

Research, Risk Assessment and Monitoring

Science has recently established a NARW Research Coordination Group. It includes representatives from each region and links with other key groups, such as the Science Centre of Expertise on Marine Mammals (CEMAM). Science will use this group to coordinate work on the NARW and it will report to the Atlantic Steering Committee through Louise Laverdure, Alain Vezina and Jean Landry.

A Science Response was recently provided to Transport Canada. It has not yet been released publicly as Transport Canada asked for an opportunity to discuss it internally. Once it is released, it may respond to some questions received more recently in relation to the proposal from the shipping industry on vessel interactions.

An in-depth policy discussion is required on risk tolerance and triggers for management measures. The various management options being considered will have significantly different impacts on the work that Science will provide and there may not be sufficient resources to allow for certain measures, e.g., dynamic management responses.

Vessel Interactions

A proposal to minimize vessel interactions has been received from the shipping industry through the technical working group led by Patrick Vincent. (The group involves DFO, Transport Canada and the shipping industry.)

DFO and Transport Canada conducted an initial review of the proposal. While some aspects are not practical, some will require further discussion with Science and others to determine if and how the ideas could be implemented, particularly around dynamic management. For example, advice is required on how large the management area should be and on the department's capacity to monitor the area. Transport Canada has also developed possible management options which will require science advice and policy discussions. The questions have been submitted to Sylvie LaPointe to consider with the questions from fisheries management.

Marine Mammal Response

Resource Management, NHQ, will work with the regions to respond to Transport Canada's report on the investigation into Joseph Howlett's death while disentangling a NARW. In part, the department will require more concrete protocols and training for responders. NHQ is actively engaging the regions on the development of protocols. Serge Doucet's leadership will be helpful in moving forward with zonal protocols for entanglement response, necropsies and incident command system for NARW incidents in 2018.



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee for the North Atlantic Right Whale (NARW)
Meeting on January 3, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Associate Regional Director General (Chair)
Wendy Williams	A/Regional Director, Ecosystems Management
Alain Vézina	Regional Director, Science
Doug Wentzell	Regional Director, Fisheries Management
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Jackey Richard	Associate Regional Director General
DFO Quebec Region	
Patrick Vincent	Regional Director General
Nicole Bouchard	Regional Director, Ecosystems Management
DFO Newfoundland and Labrador Region	
Kevin Anderson	Regional Director General
Canadian Coast Guard (CCG)	
Julien Gaudet	CCG MCTS Superintendent
DFO National Headquarters	
Adam Burns	Director General, Fisheries Resource Management
Randy Jenkins	A/Senior Director, Integrated Resource Management, Fisheries Resource Management
Jean Landry	Director, Fish Population Science
Julie Stewart	Director, Integrated Species at Risk
Corina Busby	Manager, Biologist, Integrated Species at Risk
Jennifer Buie	Resource Management – Atlantic
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies
Kingson Lim	Senior Policy Analyst

	TOPIC	LEAD
1.	Welcome, Introductions and Opening Remarks	Annette Daley
	Highlights: <ul style="list-style-type: none">Annette Daley reviewed the action items in the draft Record of Discussion from the Atlantic Steering	



Committee's meeting on December 13, 2017.

- It was confirmed that Mary-Ellen Valkenier had forwarded the proposed governance model to Sylvie LaPointe and relevant Assistant Deputy Ministers. The comments received in response would be discussed at this meeting when reviewing the committee's draft Terms of Reference.
- The table of potential management measures with an initial feasibility analysis had been distributed to the committee (see memo to the Minister distributed for this meeting - Tab 2).
- It was clarified that Science's recommendation to review the shipping lanes in the Bay of Fundy was for information only (not for action by this committee).
- It was confirmed that Adam Burns' weekly meetings will be replaced by meetings of the Atlantic Steering Committee and the Whales Senior Executive Steering Committee. They will each meet bi-weekly on alternating weeks.
- The other action items would be discussed further at this meeting.
- The committee reviewed its draft Terms of Reference and noted the following:
 - Science has established a core NARW Research Coordination Group. It includes representatives from each region and links with other key groups, such as the Science Centre of Expertise on Marine Mammals (CEMAM). Science will use this group to coordinate work on the NARW and it will report to the Atlantic Steering Committee through Louise Laverdure, Alain Vezina and Jean Landry.
 - Science would like to be included in the other areas of work (threat mitigation and marine response) so they can provide a science filter (suggestions, explanations and advice) before ideas are presented to the Atlantic Steering Committee.
 - It was suggested that management representatives also be added as observers to the Science Research Coordination Group.
 - Fisheries Resource Management, NHQ, asked to be involved in the Fisheries Interactions and Response groups, given their lead role on these issues.
 - It was suggested that Conservation & Protection be added to the Steering Committee, given their key role in monitoring and marine mammal response.
 - It was noted that it is unclear if the Atlantic Steering Committee or the Whales Senior Executive Steering Committee is the decision maker. In response, it was suggested that the Atlantic Steering Committee follow Sylvie LaPointe's approach in explicitly stating that these committees do not change the existing accountabilities and decision making structures. They exist to ensure a coherent department-wide approach to the whales program. The whales committees in the Atlantic, Quebec and Pacific will each report to Sylvie LaPointe's national committee to ensure coherence in their approaches.
 - The Steering Committee representatives should consider how they convey information between the Atlantic Steering Committee and existing structures where management of NARW is part of a broader mandate, such as the Fisheries Management Oversight Committee (FMOC).
 - It was noted that Jennifer Buie, who chairs the Canada-US Working Group on NARW, is the lead for coordinating DFO's work with the United States on the NARW.

For Action:

- The Steering Committee is intended to have strategic discussions (not to focus on operational issues) and representatives will need to rely on others at the middle manager/analyst/advisor level to conduct work between meetings. They are encouraged to use existing groups and structures wherever possible. The Steering Committee representatives are asked to inform the secretariat of whom they are working with and the governance model will be updated to be clear about how is participating in this process.
- The draft Record of Discussion and draft Terms of Reference will be revised to reflect the discussion. Any further comments can be emailed to Annette Daley and Sheila Prall Dillman.



2.	Fisheries Interactions	Doug Wentzell
	<p>Highlights:</p> <ul style="list-style-type: none">• Doug Wentzell reviewed some of the potential management measures presented in the memo to the Minister (see memo distributed for this meeting). He noted that Maritimes and Gulf Regions are continuing to engage industry on the potential management measures for 2017-18.• Resource Management, NHQ, has organized a conference call for January 5, 2018, to discuss the development of risk tolerances for mitigation measures. This may also be discussed at an FMOC meeting. The Marine Mammal Coordinators are also continuing related discussions, for example, the development of common principles.• Resource Management, NHQ, is seeking confirmation that a proposed licence condition for mandatory reporting of marine mammal interactions would meet the requirements of the US <i>Marine Mammal Protection Act</i>. If so, they will ask the regions to introduce this licence condition.• It was noted that the Deputy Minister and Minister's office will need to be briefed before any measures are rolled out with the fishing industry.• Science would like to use the new governance structure for whales to ensure they receive well-coordinated questions for science advice related to the potential management measures. <p>For Action:</p> <ul style="list-style-type: none">• Doug Wentzell and Adam Burns were asked to consider how the outcomes of the Resource Management meetings on January 5th and at FMOC will be shared with the whales committees and across sectors. It was suggested that if there were an associated work plan, it may help others see the timelines and how other sectors can interact.• To prepare for the Atlantic Steering Committee meetings, Doug Wentzell and Frank Quinn have pre-meetings to take an inventory of work within existing working groups and other structures. Doug Wentzell agreed to expand this pre-meeting to include Quebec Region, Newfoundland and Labrador Regions and Resource Management, NHQ, for a more systematic review.• Sylvie LaPointe will be providing a new weekly Situation Report on all whales to the Deputy Minister. A draft report will be shared with the Atlantic Steering Committee each Thursday for input by Friday at noon. The reports should provide the status of program work and identify any key issues.	
3.	Research, Risk Assessment and Monitoring	Jean Landry Alain Vezina
	<p>Highlights:</p> <ul style="list-style-type: none">• Jean Landry explained that the NARW Science Research Coordination Group was established recently to look at work planning, monitoring, research, external advice and advice required by managers. He may be able to provide more detail at a future meeting about the Science work plan for this year. Presently, they are looking at data related to the snow crab fishery in southern Gulf and aim to provide advice in mid-February.• A Science Response was recently provided to Transport Canada. It has not been released publicly yet as Transport Canada asked for an opportunity to discuss it internally. Once it is released, it may respond to some questions received more recently in relation to the proposal from the shipping industry on vessel interactions.• Transport Canada has submitted a new set of questions to DFO Science. An in-depth policy discussion is required as the various management options being considered will have significantly different impacts on the work that Science will provide and there may be not be capacity to support certain proposed measures, depending on the level of risk tolerance established, e.g., dynamic management responses.• It was emphasized that Science needs to link effectively with the other groups in the governance structure to understand the trigger points for escalating management measures and to ensure that the science advice is relevant and timely.	



	<ul style="list-style-type: none">It was noted that the snow crab fishery in the Gulf is currently the focal point for risks related to fishery interactions and decisions for this fishery will be required by mid-March. So there is limited time to develop science advice beyond what has already been provided about when whales are likely to be in the Gulf and decisions will need to be based on other considerations. <p>For Action:</p> <ul style="list-style-type: none">Patrick Vincent and Jean Landry will meet separately to discuss Science's involvement in the Vessel Interactions group and to discuss coordination of questions to Science.The Steering Committee representatives for Fisheries Interactions and Marine Mammal Response are asked to consider the involvement of Science in their groups as well.	
4.	Vessel Interactions	Patrick Vincent Paul Scott
	<p>Highlights:</p> <ul style="list-style-type: none">Patrick Vincent provided an overview of the proposal received from the shipping industry and of the science advice required to evaluate the feasibility of the proposed approaches. (See the proposal and science questions distributed to the committee on January 3, 2018.)Under the proposal, there could be two static and one dynamic management areas. In the static areas, vessels would be required to slow down to 10 knots when navigating within two "known" seasonal high-density right whale aggregation areas (based on verified sightings from 2015 to 2017). In the area with lower probability of vessel-whale interaction outside of these predicted right whale aggregation areas, risks would be addressed through more dynamic mitigation measures.The government members of the working group conducted an initial review of the proposal. While some aspects are not practical, some will require further discussion with Science and others to determine if and how the ideas could be implemented, particularly around dynamic management. For example, advice is required on how large the management area should be and on the department's capacity to monitor the area. Patrick Vincent submitted the science questions to Sylvie LaPointe so she can consider them with the questions from fisheries management.Paul Scott informed the committee that Transport Canada has developed a table of three broad management approaches: (1) status quo in maintaining the slowdown in western Gulf of St. Lawrence; (2) implementation of dynamic zones; and (3) managing speeds of vessels as they near "known" areas of NARW aggregations. (See the table of options distributed to the committee on January 3, 2018.) <p>For Action:</p> <ul style="list-style-type: none">Patrick Vincent and Paul Scott will meet with Jean Landry separately to discuss the triggers for management measures to help guide next steps for Science.DFO will need to provide feedback to Transport Canada and the industry in January so that other options can be developed if required. The Ministers for both departments will need to be briefed in February so the department can then communicate with industry about measures that will be place for the shipping season and presence of whales in April 2018.	
5.	Marine Mammal Response	Adam Burns
	<p>Highlights:</p> <ul style="list-style-type: none">Adam Burns explained that Brett Gilchrist is the national lead on marine mammal response. He is actively engaging the regions in developing protocols across the Atlantic and Pacific.Leadership from the Response management task group under the NARW Steering Committee will be required in moving forward with the development of zonal protocols for entanglement response, necropsies and incident command system for NARW incidents in 2018.Budget 2018 is expected to provide more clarity on new investments to strengthen the marine mammal response program and it may result in changes to the structure of that program.Resource Management, NHQ, has communicated with Sean Brilliant (of the Canadian Wildlife Federation), partly in response to a letter from the Canadian Marine Animal Response Alliance (see the	



letter distributed for this meeting). A national meeting with external groups may be organized for March 2018 to receive input on the whales program and possible investments. Investments for external groups involved in marine mammal response may also be possible through the Coastal Restoration Fund (under the Oceans Protection Plan).

For Action:

- Resource Management, NHQ, will work with the regions to respond to Transport Canada's report on the investigation into Joseph Howlett's death while disentangling a NARW. In part, the department will require more concrete protocols and training for responders. Adam Burns will provide further briefings at future meetings of the Atlantic Steering Committees and the Whales Senior Executive Steering Committee. It was suggested that the Response Program management task group also verify that safe work procedures and training are in place for necropsies.

7.

Next Meeting

- The next bi-weekly meeting of the Atlantic Steering Committee will be January 17, 2018. (The next bi-weekly meeting of the Whales Senior Executive Steering Committee will be January 10, 2018.)
- Annette Daley will ask Mary-Ellen Valkenier to brief Sylvie LaPointe on this meeting. The Records of Discussions from these meetings will also be shared with Sylvie LaPointe.
- For the next meeting, the Chair requested an update on the Science work plan for 2018, including the surveillance plan, a discussion of the requests for science advice, and a briefing on the science advice provided to Transport Canada.
- Other suggested agenda items for the next meeting can be provided to Mary-Ellen Valkenier, copying Annette Daley and Sheila Prall Dillman.

MacLellan, Elizabeth

From: Daley, Annette
Sent: January-04-18 9:29 AM
To: Valkenier, Mary-Ellen
Cc: Rossignol, Pauline
Subject: For Review: draft input for Situation Report on NARW
Attachments: Record of Discussion - ASC for NARW Jan 3 2018 (draft 2018-01-03).docx

Mary-Ellen, for our discussion at 9:30. I am reviewing the draft notes now but for below, Sylvie Lapointe has to provide a weekly update (situation report) to the DM on "all things whales", so we are preparing draft bullets based on the meeting yesterday.

Annette

From: Prall-Dillman, Sheila
Sent: Wednesday, January 3, 2018 6:38 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>
Subject: For Review: draft input for Situation Report on NARW

Hi Annette,

For your review, below are draft points for the situation report using the approach that Jen suggested. This is based on the attached draft Record of Discussion from the meeting today. I have included some points that Adam Burns raised, although Jen may wish to report those differently for her group. Please let me know if you have any changes before I circulate these points and the record to the committee for input. Thank you.

Sheila

NARW Governance

The Atlantic Steering Committee on NARW had its second meeting on January 3, 2018. The Terms of Reference will explicitly state that existing accountabilities and decision-making processes remain with sector leads, and the committee's role is to contribute to a coherent department-wide approach for NARW under the Whales Senior Executive Steering Committee. The proposed governance model is being refined to ensure the appropriate people are involved for increased collaboration, e.g., Science has asked to be included in each of the key action groups.

Fisheries Interactions

The Maritimes and Gulf Regions are continuing to engage industry on the potential management measures for 2017-18. Resource Management, NHQ, has organized a conference call for January 5, 2018, to discuss the development of risk tolerances for mitigation measures. This may also be discussed at an FMOC meeting. The Marine Mammal Coordinators are also continuing related discussions, for example, the development of common principles.

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this group to coordinate work on the NARW and it will report to the Atlantic Steering Committee through Louise Laverdure, Alain Vezina and Jean Landry.

A Science Response was recently provided to Transport Canada. It has not yet been released publicly as Transport Canada asked for an opportunity to discuss it internally. Once it is released, it may respond to some questions received more recently in relation to the proposal from the shipping industry on vessel interactions.

An in-depth policy discussion is required on risk tolerance and triggers for management measures. The various management options being considered will have significantly different impacts on the work that Science will provide and there may be not be sufficient resources to fully support certain proposed measures, depending on the level of support required e.g., dynamic management responses.

Vessel Interaction

A proposal to minimize vessel interactions has been received from the shipping industry through the technical working group led by Patrick Vincent. (The group involves DFO, Transport Canada and the shipping industry.)

DFO and Transport Canada conducted an initial review of the proposal. While some aspects are not practical, some will require further discussion with Science and others to determine if and how the ideas could be implemented, particularly around dynamic management. For example, advice is required on how large the management area should be and on the department's capacity to monitor the area. Transport Canada has also developed possible management options which will require science advice and policy discussions. The questions have been submitted to Sylvie LaPointe to consider with the questions from fisheries management.

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**Pages 81 to / à 85
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sont des duplicatas des
pages 74 to / à 78**

Merriman, Catherine B

From: Merriman, Catherine B
Sent: January-16-18 9:34 AM
To: Schaefer, Heidi (Heidi.Schaefer@dfo-mpo.gc.ca)
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale
Attachments: 2017-201-00071 - Memo - Governance Model for North Atlantic Right Whale.pdf; NARW Proposed Governance Cttees attachment (EN).docx; NARW Proposed Governance Cttees attachment (FR).docx

From: Sweet, Marilyn
Sent: January-16-18 8:04 AM
To: Merriman, Catherine B
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale

FYI. Have you had any discussions on this?

Mar

From: Landry, Melissa
Sent: January-10-18 11:39 AM
To: Sweet, Marilyn
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale

From: Landry, Melissa
Sent: 2017-December-21 1:05 PM
To: McRory, Jody; Watkins, Carrie
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale

fyi

From: Jenkins, Randy
Sent: 2017-December-19 4:38 PM
To: Buie, Jennifer; Gilchrist, Brett; Landry, Melissa
Subject: Fw: 2017-201-0071 - Governance Model for North Atlantic Right Whale

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Sent: Tuesday, December 19, 2017 14:59
To: Burns, Adam; Jenkins, Randy
Cc: Baldwin, Jennifer
Subject: FW: 2017-201-0071 - Governance Model for North Atlantic Right Whale

FYI and FYA

Sylvie

From: Rossignol, Pauline **On Behalf Of** Valkenier, Mary-Ellen

Sent: Tuesday, December 19, 2017 2:12 PM

To: Swerdfager, Trevor <Trevor.Swerdfager@dfo-mpo.gc.ca>; McPherson, Arran <Arran.McPherson@dfo-mpo.gc.ca>;

Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Morel, Philippe <Philippe.Morel@dfo-mpo.gc.ca>

Cc: Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Anderson, Kevin

<Kevin.Anderson@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Winfield, Nicholas

<Nicholas.Winfield@dfo-mpo.gc.ca>; Wheatley, Michelle <Michelle.Wheatley@dfo-mpo.gc.ca>; Laverdure, Louise

<Louise.Laverdure@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>

Subject: 2017-201-0071 - Governance Model for North Atlantic Right Whale

Please see attached memorandum on the Governance Model for North Atlantic Right Whale. /

Prière de voir la note de service ci-jointe sur le Modèle de gouvernance pour la baleine noire de l'Atlantique Nord.

Thank you / Merci.

Mary-Ellen Valkenier

Regional Director-General/Directrice générale régionale

Maritimes Region/Région des Maritimes

Fisheries and Oceans Canada | Pêches et Océans Canada

P.O. Box 1006 | C.P. 1006

1 Challenger Drive, Dartmouth, NS | 1, rue Challenger, Dartmouth, (N-É) B2Y 4A2

mary-ellen.valkenier@dfo-mpo.gc.ca

Telephone | Téléphone 902 426-2581

Facsimile | Télécopieur 902 426-5034

Government of Canada | Gouvernement du Canada



s.69(1)(g) re: (a)

To
À

T. Swerdfager, Senior ADM Delivery & Results / SMA principal Bilan et des résultats
A. McPherson, A/ADM Ecosystems & Oceans Science / SMA p.i. Sciences des écosystèmes
et des océans
S. Lapointe, ADM Fisheries & Harbour Management/SMA Gestion des pêches et des ports
P. Morel, ADM, Aquatic Ecosystems / SMA Écosystèmes aquatiques

From
De

Mary-Ellen Valkenier, RDG Maritimes Region / DGR Région des Maritimes

Subject
Objet

Governance Model for North Atlantic Right Whale / Modèle de gouvernance pour la baleine noire de l'Atlantique Nord

I am writing on behalf of the new Atlantic Steering Committee for North Atlantic Right Whale (NARW).

We have been discussing the need for a coordinated and collaborative approach across DFO regions in Atlantic Canada for the reduction of risks and recovery of the NARW. I understand that we have your support in principle to establish the Atlantic Steering Committee for this purpose.

Intensive work will need to begin soon to have measures in place by April 2018 to ensure the fishing, shipping and cruise industries have time to plan for and implement mitigation measures in a way that maximizes protection for the whales and minimizes economic impacts.

We support the attached proposed governance model and seek your support in implementing it.

This model takes into consideration the current responsibilities among senior directors; linkages to existing groups working on NARW; the need to distribute work across regions;

The need for timely action to mitigate risks to the NARW is recognized and operational planning has begun for next year. For example:

- an inter-regional Science Work Planning Meeting was

J'écris au nom du nouveau Comité directeur de l'Atlantique pour la baleine noire de l'Atlantique Nord (BNAN).

Nous avons discuté de la nécessité d'une approche coordonnée et concertée dans toutes les régions du MPO au Canada Atlantique pour la réduction des risques pour la BNAN et son rétablissement. Je comprends que nous avons votre appui en principe pour l'établissement du Comité directeur de l'Atlantique.

Un travail intensif doit commencer bientôt pour mettre les mesures en œuvre avant le mois d'avril 2018, afin de permettre à l'industrie d'avoir le temps de planifier et d'adopter les mesures d'atténuation de façon à maximiser la protection de la population de baleines et à réduire au minimum les conséquences économiques.

Nous appuyons le modèle de gouvernance proposé ci-joint et sollicitons votre appui pour le mettre en œuvre.

Ce modèle prend en compte les responsabilités actuellement assumées par les directeurs principaux, les liens avec les groupes existants qui travaillent sur la BNAN et la nécessité de répartir le travail parmi les régions;

La nécessité d'une prise de mesures en temps opportun pour atténuer les risques pour les BNAN est reconnue et la planification opérationnelle a commencé pour l'année prochaine. Par exemple :

- Une réunion interrégionale de planification du travail

Security Classification - Classification de sécurité

Unclassified/Non classifié

Our File - Notre référence

2017-201-00071

Your File - Votre référence

Date

18 / 12 / 2017

held on November 1-2, 2017;

- a Management Work Planning Meeting was held on December 12-13, 2017;
- regional protocols are being drafted for incident response;
- a national protocol is being drafted to determine when fisheries closures and re-openings will be triggered; and
- industry has been engaged on mitigation options at the regional fisheries advisory committees, the NARW Technical Subcommittee with the shipping industry, and the Minister's Roundtable.

Oversight is required to ensure that these efforts, which are led separately, will result in a cohesive departmental plan that will effectively mitigate risks to the NARW.

We met for the first time as the Atlantic Steering Committee on December 13, 2017, and will continue to meet bi-weekly until an action plan is defined for 2018. We seek your support in actively participating in the proposed governance model to ensure well-coordinated outputs. For example, to ensure that new protocols are reviewed within the usual reporting matrix (by the RDG and ADM) and by the Atlantic Steering Committee and, if required, by the National Executive Committee.

Decisions will also be required from the sector ADMs, the Deputy Minister and possibly the Minister, particularly regarding risk tolerance. Therefore, we also seek your support in establishing a clear relationship between the Atlantic committee and the national committee so that we can provide timely and collaborative direction across sectors and regions for NARW and other protected whales. We understand that the national committee also had its first meeting in mid-December.

We ask that you confirm your sector representative for the governance model in the Atlantic and welcome your comments on how the regional and national committees should interact. Please send your comments and suggested participants to **Annette Daley by December 29, 2017**, for discussion at the next meeting of the Atlantic Steering Committee on January 3, 2018.

scientifique a eu lieu le 1^{er} et le 2 novembre 2017;

- Une réunion de planification du travail de gestion a eu lieu les 12 et 13 décembre 2017;
- Les protocoles régionaux sont en cours de rédaction pour l'intervention en cas d'incident;
- Un protocole national est en cours de rédaction afin de déterminer à quel moment les fermetures et les réouvertures des pêches seront déclenchées;
- L'industrie a participé aux discussions sur les options d'atténuation aux comités consultatifs régionaux des pêches, au sous-comité technique des BNAN avec l'industrie du transport maritime, et à la table ronde du ministre.

Une surveillance est nécessaire pour s'assurer que ces efforts, qui sont dirigés séparément, aboutiront à un plan ministériel cohérent qui permettra d'atténuer efficacement les risques pour les BNAN.

Nous nous sommes rencontrés pour la première fois comme le Comité directeur de l'Atlantique le 13 décembre 2017 et continuerons à nous rencontrer deux fois par mois jusqu'à ce qu'un plan d'action soit défini pour 2018. Nous vous demandons votre soutien en participant activement au modèle de gouvernance proposé afin d'assurer des résultats bien coordonnés. Par exemple, pour assurer que les nouveaux protocoles seront examinés au sein de la matrice de production de rapports habituels (par le DGR et le SMA) et par le Comité directeur de l'Atlantique et, au besoin, par le Comité national des exécutifs sur les baleines.

Des décisions seront également exigées de la part du SMA, du sous-ministre et éventuellement du ministre, notamment en ce qui concerne la tolérance au risque. Par conséquent, nous demandons votre soutien dans l'établissement d'une relation claire entre le Comité de l'Atlantique et le Comité national afin de fournir une orientation opportune axée sur la collaboration à l'échelle des secteurs et des régions pour la BNAN et d'autres baleines protégées. Nous comprenons que le comité national avait eu aussi sa première rencontre à la mi-décembre.

Nous demandons que vous confirmiez votre représentant de secteur pour le modèle de gouvernance en Atlantique et nous accueillons vos commentaires de la façon dont les Comités régional et national devraient interagir. Veuillez envoyer vos commentaires et vos participants proposés à **Annette Daley d'ici le 29 décembre 2017**, pour discussion à la prochaine réunion du le Comité directeur de l'Atlantique le 3 janvier 2018.



Mary-Ellen Valkenier

Attachment / Pièce jointe:

Proposed model for coordinated and collaborative management of protected whales /
Modèle proposé pour la gestion coordonnée et collaborative des baleines protégées

cc: Adam Burns, A/DG Fisheries Resource Management / DG p.i. Gestion des ressources halieutiques

Nick Winfield, DG Ecosystem Management / DG Gestion des écosystèmes

Michelle Wheatley, Executive Lead, Oceans Protection Plan Secretariat / Responsable exécutive, Secrétariat du Plan de protection des océans

Louise Laverdure, A/DG Ecosystem Science Directorate / DG p.i. Direction des sciences et des écosystèmes

Serge Doucet, RDG Gulf Region / DGR Région du Golfe

Patrick Vincent, RDG Maritimes Region / DGR Région du Québec

Kevin Anderson, RDG Newfoundland & Labrador Region / DGR Région de Terre-Neuve-et-Labrador

Proposed Model for Coordinated and Collaborative Management of Protected Whales: **Draft**

National ADM/RDG Whales Oversight Committee	Chair: tbd, Members: ADM FM (Risk Reduction), ADM Science (Risk and Recovery), ADM EM (Recovery), RDG MAR (NARW), RDG Quebec (SLBeluga), RDG BC (SRKW), others?												
Purpose:	Goals/Objectives:												
Discussions monthly to March 2019	Roles and Responsibilities: Strategic direction and national oversight related to <ul style="list-style-type: none">- Proposed Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance- Threat Mitigation (Fishery Interaction, Vessel Interaction, MEQ and Contaminants, Prey Availability): including technology development /innovation relating to gear, detection, threat/contact avoidance- Marine Mammal and Incident Response												
Atlantic Steering Committee for the North Atlantic Right Whale (DFO)	Chair: RDG Maritimes Region – Mary-Ellen Valkenier (AORC Chair), Secretariat: tbd Members: Risk Reduction: DG Science – Louise Laverdure, RD Science – Alain Vezina, DG FM - Adam Burns, RD FM - Doug Wentzell, RD EM - Nick Winfield (or Director SAR Program), RD EM MAR – Annette Vincent, , RDG Gulf - Serge Doucet, RD Navigational Programs CCG: Dan Nickle, RDG NL: Kevin Anderson; Recovery: DG EM - Nick Winfield (or Director SAR Program), RD EM MAR – Annette Daley (NARW SAR Lead Region)												
To meet biweekly to March 2019	Goals/Objectives: <ul style="list-style-type: none">- Risk Reduction for NARW- Reduction of Injury- Prevention of Mortality Reduction of Risks to SAR Protected Marine Mammals Recovery of NARW												
Steering Committee functional leads: Purpose: To coordinate the identification and development of zonal recommendations related to each of the key tasks identified and represent them at the Steering Committee. <ul style="list-style-type: none">- Research, Risk assessment and Monitoring- Threat Mitigation- Response	Research, Risk assessment and Monitoring: Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance (Atlantic zonal approach, focus on GSL) SC representation: Science DG (NHQ): RD Science MAR: Alain Vezina												
Atlantic Working Groups Purpose: To identify science and management plans and solutions for each of the key tasks and communicate them to the Steering Committee leads. To meet regularly to March 2019	Co-Chairs: <ul style="list-style-type: none">- Manager Science MAR: Sherry Niven- Director Science Gulf: Doug Bliss Zonal WG: One member from each Region MAR, Gulf, Que, NL												
Regional Working Groups Purpose: To provide advice, engage stakeholders, deliver on plans and implement decisions. To meet regularly to March 2019	Co-Chairs: RM: MMR Coordinator EM, SARMD Coordinator												
	<table><tr><td>MAR WG</td><td>Gulf WG</td><td>Que. WG</td><td>NL WG</td></tr></table>	MAR WG	Gulf WG	Que. WG	NL WG								
MAR WG	Gulf WG	Que. WG	NL WG										
	<table><tr><td>MAR</td><td>Gulf</td><td>Que.</td><td>NL</td></tr></table>	MAR	Gulf	Que.	NL								
MAR	Gulf	Que.	NL										
	<table><tr><td colspan="4">Regional Response Networks (Zonal Protocols)</td></tr><tr><td colspan="4">Network Coordinators RM, MMR Coordinators</td></tr><tr><td>MAR</td><td>Gulf</td><td>Que.</td><td>NL</td></tr></table>	Regional Response Networks (Zonal Protocols)				Network Coordinators RM, MMR Coordinators				MAR	Gulf	Que.	NL
Regional Response Networks (Zonal Protocols)													
Network Coordinators RM, MMR Coordinators													
MAR	Gulf	Que.	NL										

Draft for discussion with the OPP Atlantic Oceans Results Committee on November 27, 2017

Snow, Anne E

From: Buie, Jennifer
Sent: January-17-18 5:35 PM
To: Jenkins, Randy; Blanchard, Tony; Berthier, Jacinta; LeCouffe, Marc; Gros-Louis, Denis; Landry, Jean; Nadeau, Simon; Gilchrist, Brett; Scott, Paul; Moors-Murphy, Hilary; Niven, Sherry; Lawson, Jack; Hammill, Mike; Hardy, Matthew A (Moncton)
Cc: Wentzell, Doug; Quinn, Frank; Lemire, Maryse; Perry, Jacqueline; Moors-Murphy, Hilary; Niven, Sherry; Lawson, Jack; Hammill, Mike; Hardy, Matthew A (Moncton)
Subject: RE: 2018 fisheries mitigation measures - whale monitoring- Gulf St Lawrence



Whale map with
calanus concent...



Mitigation



Fishery overlay

Measures Outco...with NARW area...

Attached are some documents to help in our discussions tomorrow.

-----Original Appointment-----

From: Jenkins, Randy
Sent: January-17-18 8:25 AM
To: Jenkins, Randy; Blanchard, Tony; Berthier, Jacinta; LeCouffe, Marc; Gros-Louis, Denis; Landry, Jean; Nadeau, Simon; Buie, Jennifer; Gilchrist, Brett; Scott, Paul
Subject: 2018 fisheries mitigation measures - whale monitoring- Gulf St Lawrence
When: January-18-18 12:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: 1-877-413-4790

s.16(2)

DIAL IN: 1-877-413-4790

Participant pass code [REDACTED]

NHQ room to follow

Important to have initial discussion this week prior to FMOC next week to discuss planning efforts underway for 2018. This stems from a call Adam held with RDs on Monday. Please have appropriate staff officers/science staff participate if desired. Thx.

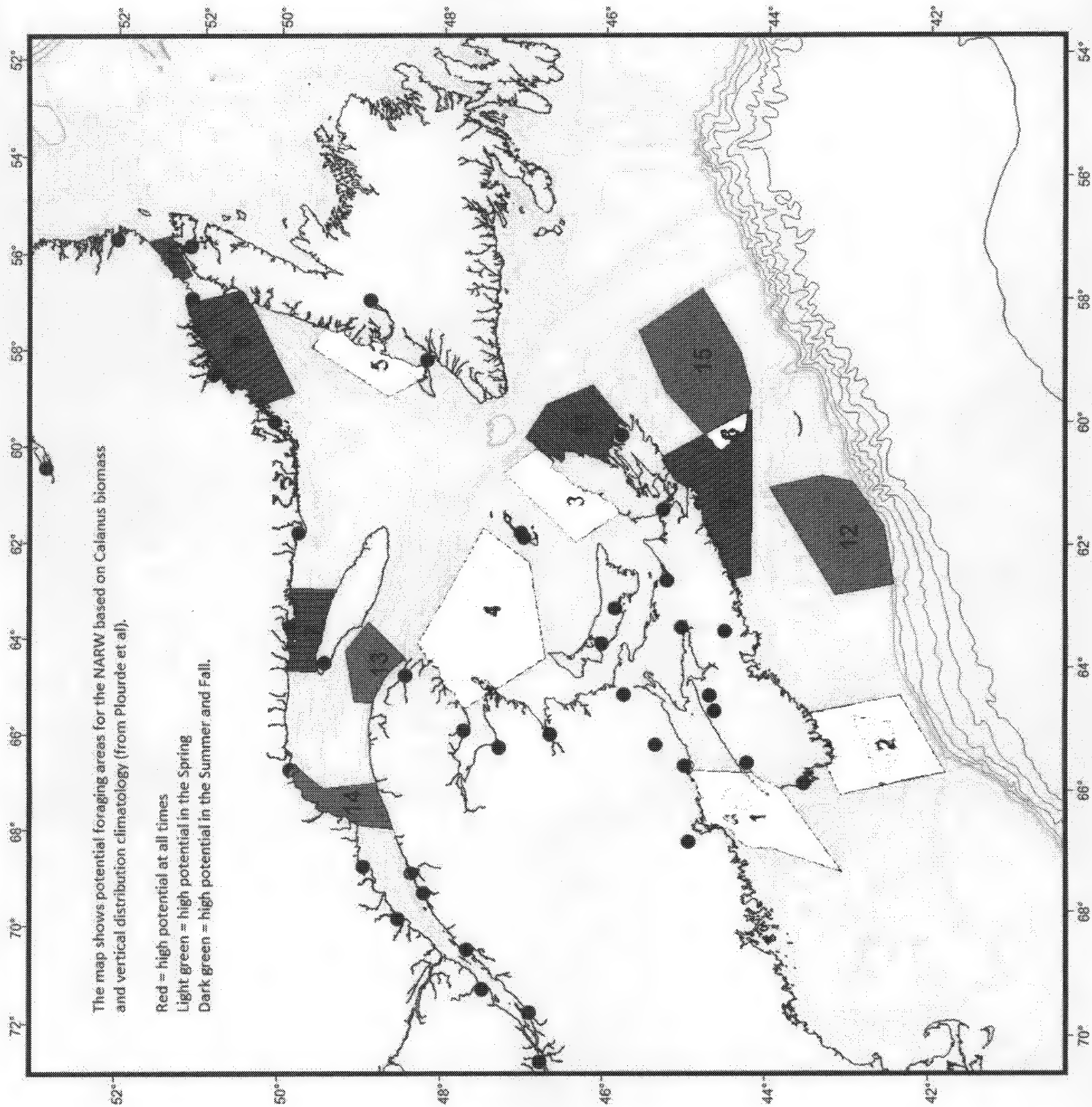
Fishery / Whale Interaction - Preliminary Discussion on :

- Planned 2018 mitigation/prevention measures
 - o Means of communication?
 - o Licence condition changes required?
- Potential Fishing activity timeframes (focus on crab and fisheries in depths greater than 20 fathoms)
- Heat Map of fishing activity/gear locations by time period (is this possible)
- In season whale monitoring plans/capability /tools

- Triggers to take action / What action / step wise or stagger approach OR FISH-NO FISH scenarios
- Other whale issues

It is likely that a face to face meeting in Ottawa will be required for the week of Jan 29th to further advance the discussion and plans on these topics.

<< File: MECTS-#3862620-v1-FHM-ADM_EOS_MAR-RDG_approval_-Dec_20_-2017-009-00811.tif >> << Message: FW: 2017-702-00105 – Decision memo for the RDG – Southern Gulf of St. Lawrence snow crab – management measures to minimize the risks to the North Atlantic Right Whale >> << Message: FW: 2017-702-00113 – Info memo for the Minister – Southern Gulf of St. Lawrence snow crab – management measures to minimize the risks to the North Atlantic Right Whale >>



s.69(1)(g) re: (a)

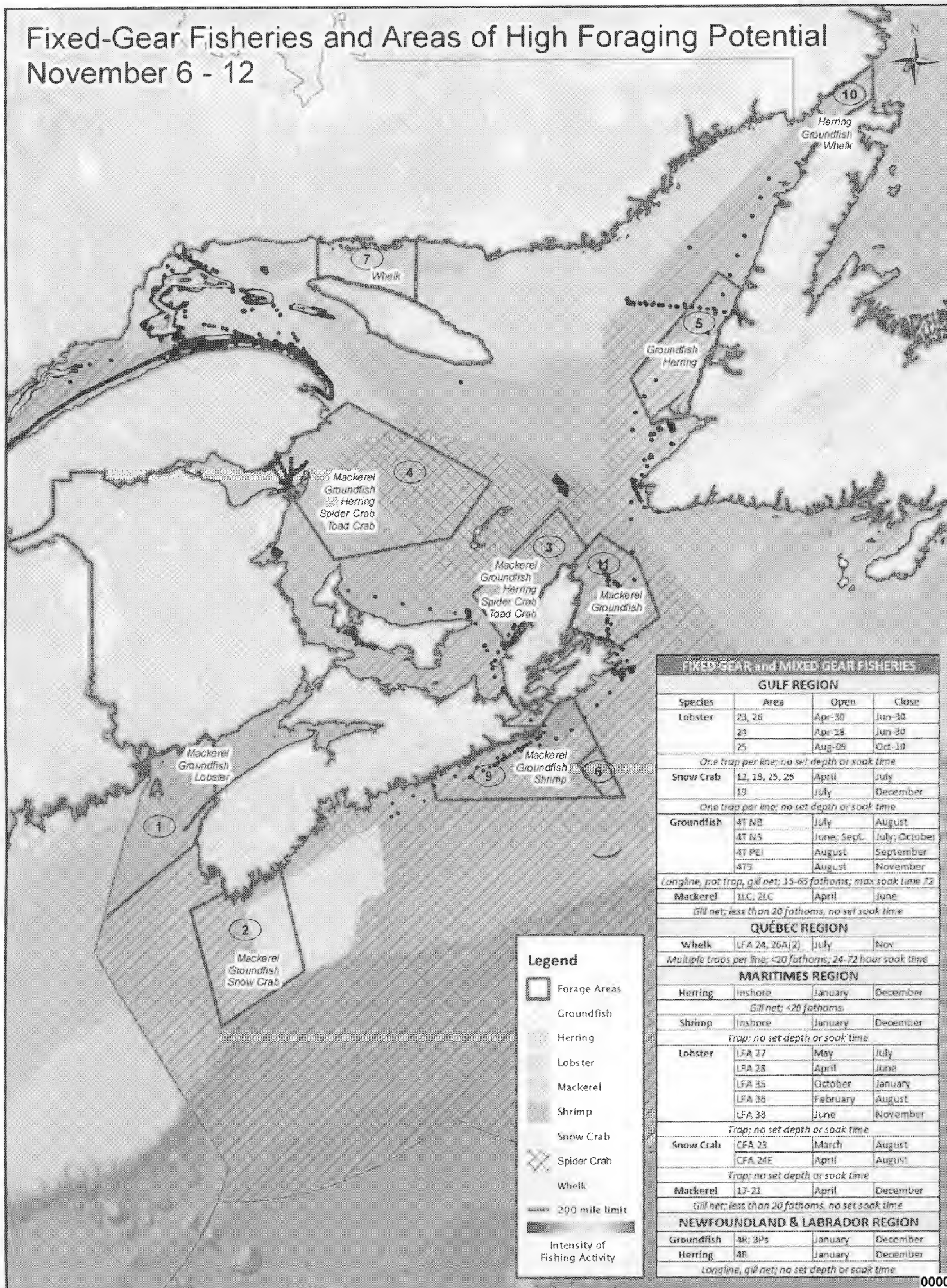
000095

[illegible]

Common themes to all measures or overarching issues:
 What is the trade off between fishing fewer traps and extending the fishing season?
 Where are the rest of the whales? Suggestion to look at south coast NL
 Suggestion that a portion of AFF funds be specifically set aside for innovation of ropeless gear.
 Evaluating effectiveness of measure to reduce risk.
 Safety

Incident response											
Component	Description	Regional implementation status (active/planned/uncertain)	Zonal coordination need (yes/no/uncertain)	Lead sector	Supporting sectors	Operational Requirements to Implement	Operational gaps	Information/Advice requirements to implement	Information gaps	External or International considerations	Other
Decontamination response	At least removal or reduction of entangling gear. May involve attaching satellite buoy, under some circumstances and only under certain circumstances										
Carcass retrieval - if afloat, towing	Vessels identified with capacity to tow carcass	IN: NO. DFO QUEBEC THERE ARE MANY coordination groups that discuss feasible and reliable. Gulf had ad Hec group. Much decision making in 2017 was from NHC. National DFO protocols exist for decision making on MARINE necropsies.								Decisions for other marine mammal species.	
Necropsy site selection, preparation	List of potential necropsy sites (including contacts for obtaining necessary permissions). Arrangement of heavy equipment and other support equipment. Arrangement of veterinarians to lead necropsies, volunteers.							Quebec has protocol. US has protocol. Science component. Other considerations.			
Carcass examination and sampling - Necropsy	Forensic examination for medical / pathological information, cause of death, demographic information, etc.					Necropsies are only mechanism to determine cause of death. Were important to do in 2017 to convince industry that their activities were worthwhile.	Feedback loop between regions to provide information between regions				
Distribution of samples	Shipping or otherwise delivering samples to researchers, Consortium labellers etc.										
Carcass disposal	May include burial, composting, landfill, incineration, or other remains for partners.										
Gear retrieval	Retrieval of entangling / anchoring gear from floating or beached carcass. OR from entangled live animal.										
Gear analysis, documentation, information sharing	Consistent protocol needed for documentation of gear, analysis by DFO and industry experts, sharing information.										
Gear storage	Archive of gear to be stored such that it is available for future analysis.										
Response awareness	Awareness within DFO and among partners and mariners - correct contact information, etc.										
Unusual Mortality event responses - Can be used for DFO											

Fixed-Gear Fisheries and Areas of High Foraging Potential November 6 - 12



MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: January-17-18 12:44 PM
To: Doucet, Serge; Anderson, Kevin; Laverdure, Louise; Landry, Jean; Burns, Adam; Buie, Jennifer; Wentzell, Doug; Quinn, Frank; Vézina, Alain; Gaudet, Julien D; Winfield, Nicholas; Williams, Wendy; ellen.burack@tc.gc.ca; Goetze, Darren; Valkenier, Mary-Ellen; Daley, Annette; Abbass, Lily; Stewart, Julie; Jenkins, Randy; Verville, Josée Annie
Cc: Vincent, Patrick; Paul.Scott@tc.gc.ca
Subject: Atlantic Steering Committee for NARW - options for shipping industry
Attachments: RDIMS-#13583839-v21-NARW_PROPOSED_OPTIONS_TABLE.DOC; gulfmap.pdf

Good afternoon,

As a follow-up from today's meeting of the Atlantic Steering Committee for NARW, Patrick Vincent has provided the attached table of options and map that were discussed on January 10, 2018, between DFO, CCG and Transport Canada to mitigate risks to NARW from shipping in the Gulf of St. Lawrence. The third option will likely be deleted.

Please note that these documents are intended for internal use only. They are draft and have not been shared with the industry. Thank you.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

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Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

North Atlantic Right Whale (NARW)

Options

Draft – January 16, 2018

Assumptions:

- Known NARW aggregation areas are based on limited historic data (mainly 2017); it is uncertain if NARWs will return to the exact same areas in 2018
- Protect NARW while minimizing financial and operational impacts on maritime transport industry
- Aerial surveillance will be the primary means of NARW detection for 2018
- Using other monitoring techniques such as passive acoustic devices could only be used in complementary or pilot efforts

s.21(1)(b)

	Description	Static or dynamic	Trigger to implement measure	Highest Whale Protection Ranking (1 = Highest)	Least Economic Impact Ranking (1 = Lowest)	2018 Implementation	Considerations
SINGLE ZONE	Maintain or adjust 2017 slowdown zone in western Gulf	Static	DFO advice	1	3	Yes	
	<ul style="list-style-type: none"> All areas in zone would have <i>mandatory</i> 10 kn max <p>1 – Maintain 2017 area</p> <p>2 – Adjust 2017 slowdown zone: North of Anticosti eastern edge would be reduced from 62°W to 63°20' W, and the western edge x miles from the Gaspé coast, extended from 65°W to 66°W between the Gaspé coast and the southern edge of the shipping lane.</p>						

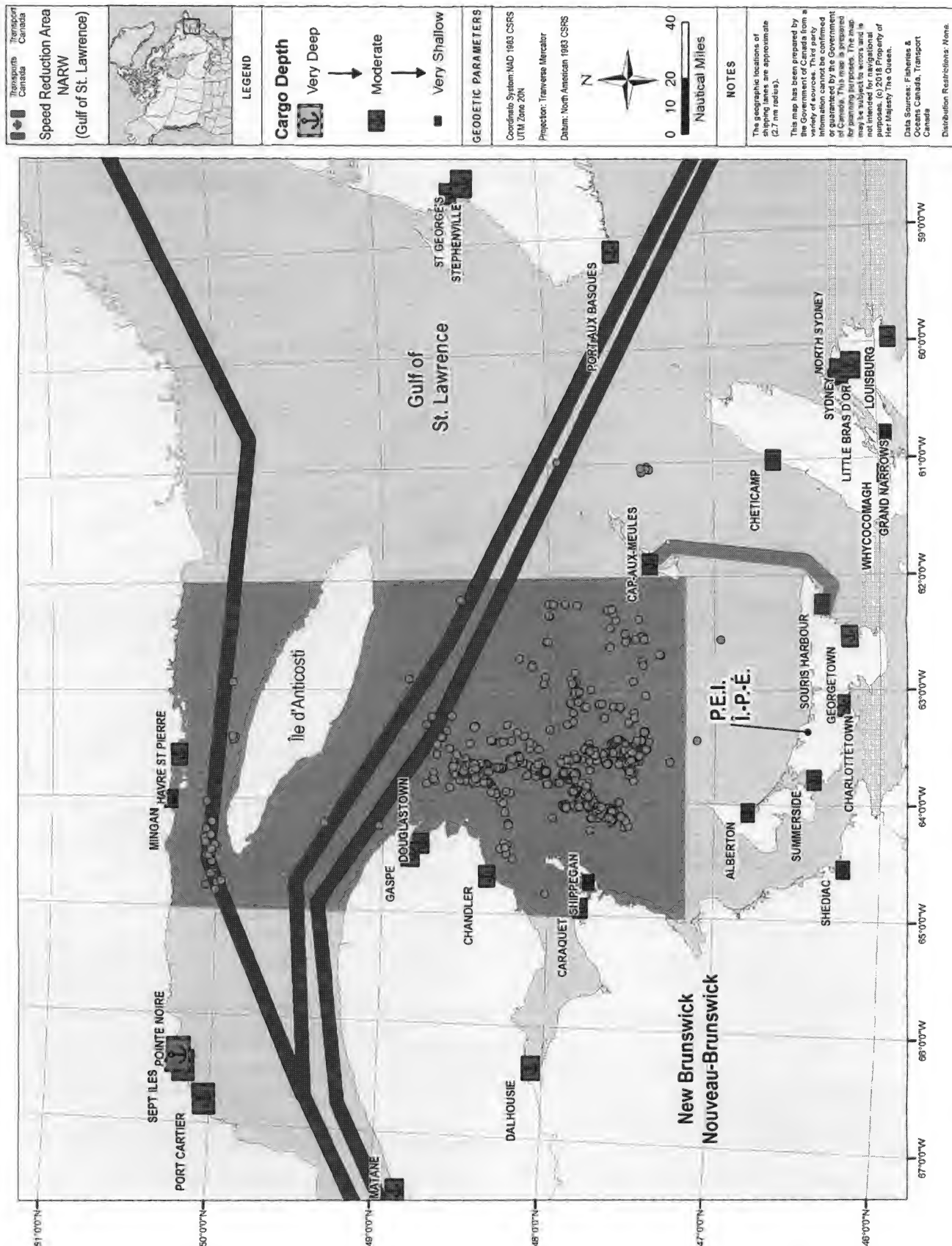
RDIMS 13583839

000100

	Description	Static or dynamic	Trigger to implement measure	Highest Whale Protection Ranking (1 = Highest)	Least Economic Impact Ranking (1 = Lowest)	2018 implementation	Considerations	s.21(1)(b)
DYNAMIC SHIPPING LANE	<p>Static zone would be based on 2017 slowdown area, or slightly adjusted based on DFO advice (see Option A2 for parameters); dynamic area would be limited to the shipping lane south of Anticosti</p> <ul style="list-style-type: none"> Shipping lane south of Anticosti would be divided into three sections (62°W-63°W, 63°W-64°W, 64°W-65°W) When NARW are believed to have returned in the spring, the area would be surveyed by aircraft; if no NARW spotted: Vessels could operate at normal operational speed If at least one NARW spotted in any of the three sections: Section (not entire shipping lane) would be subject to a 10 kn slowdown for a two week period. The rationale is that it would not be necessary to have a slowdown in place a significant distance from where the NARW was spotted If after two weeks, it appears that NARW has exited the section, slowdown could be lifted. If whales were still present at any point during the initial two week period, the slowdown would be extended for an additional two week period from the last sighting 	Static except dynamic in shipping lane, based on aerial surveillance	<p>DFO advice</p> <p>Dynamic: When 1 NARW seen, section subject to 10 kn max for 14 days</p>	2	2	<p>Potentially</p> <p>Dynamic aspect would be most feasible with three weekly surveillance flights; weather challenges especially in early spring and late fall would affect ability to conduct flights</p>		
B								

	Description	Static or dynamic	Trigger to implement measure	Highest Whale Protection Ranking (1 = Highest)	Least Economic Impact Ranking (1 = Lowest)	2018 implementation	Considerations	s.21(1)(b)
C	<p>Option based on U.S.'s approach to minimizing NARW-vessel interaction and heavily relies on technology to monitor NARW presence</p> <ul style="list-style-type: none"> Two static zones would be based on 2017 NARW aggregation areas: South of southern shipping lane between 62°W and 65°W and northwest of Anticosti between 64°W and 65°W; apply mandatory 10 kn max restriction Shipping lane south of Anticosti would be dynamic and technologies would monitor NARW presence If NARWs spotted: 10 kn max slowdown area imposed for one week, and a decision would be made on whether to extend the 10 kn limit based on NARW presence Vessels would otherwise travel at normal operational speed Identified technology needs: 3-5 hydrophones, 2 gliders, and real-time notification system 	<p>Static in aggregation areas</p> <p>Dynamic in shipping corridors</p>	<p>Static: May 15 or DFO advice</p> <p>Dynamic: When 3 NARWs seen within a 75 nm² area</p>	3	1	Relies on new technological deployments which likely cannot be used as part of a comprehensive monitoring program in 2018		

MODIFIED U.S. APPROACH



MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: January-18-18 11:13 AM
To: Doucet, Serge; Richard, Jackey; Quinn, Frank; Vincent, Patrick; Abbass, Lily; Laverdure, Louise; Landry, Jean; Jenkins, Randy; Gilchrist, Brett; Buie, Jennifer; Verville, Josée Annie; Stewart, Julie; Paul.Scott@tc.gc.ca; Vézina, Alain
Cc: Valkenier, Mary-Ellen; Daley, Annette; Wentzell, Doug; Burns, Adam; ellen.burack@tc.gc.ca; Goetze, Darren; Saulnier-Cyr, Debbie; Butler, Annette; Couturier-Dubé, Geneviève; Humphrey, Donald; Williams, Wendy; Gaudet, Julien D; Winfield, Nicholas; Anderson, Kevin
Subject: For Review: NARW - RoD and SitRep / Pour examen: BNAN - le compte rendu et le rapport de situation
Attachments: NARW input for whales sitrep (draft 2018-01-18).docx; RoD - ASC for NARW Jan 17 2018 (draft 2018-01-18).docx

(La version française suit.)

Good morning,

For your review, attached are draft bullets for the next Situation Report for the Deputy Minister, which are based on the attached draft Record of Discussion from yesterday's meeting from the Atlantic Steering Committee for NARW.

Please provide your edits to the Situation Report **by noon tomorrow**. If possible, please provide your edits to the Record of Discussion by January 25th so they can be included in the translated draft that will be reviewed at the next meeting. Thank you.

Mesdames, Messieurs,

Pour votre examen, vous trouverez ci-joint quelques points provisoires pour le rapport de situation pour la sous-ministre, qui sont basés sur le projet du compte rendu de la réunion hier du Comité directeur de l'Atlantique pour BNAN.

Veuillez m'envoyer vos changements du rapport de situation avant **midi demain**. S'il vous plaît envoyer vos modifications au compte rendu de la discussion d'ici le 25 janvier pour qu'ils soit inclus dans le projet traduit qui sera passé en revue à la prochaine réunion.

Merci à l'avance pour votre collaboration.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

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No information has been removed or severed from this page

Updates from the Atlantic Steering Committee on North Atlantic Right Whale meeting on January 17, 2018, for the Situational Report on Whale Issues:

- **Fisheries Interactions:** Fisheries Resource Management is meeting with regional offices to develop a gap analysis and management options that will be presented to the Fisheries Management Oversight Committee (FMOC) in the week of January 22nd. In the following week, a face-to-face meeting will be held to discuss what can be achieved for April 2018 and beyond. These meetings are partly to solidify the initial feasibility analysis of mitigation measures that began at the management planning meeting on December 11-12, 2017. Science and Transport Canada have been invited to meetings to contribute to the analysis.
- **Vessel Interactions:** DFO and Transport Canada will prepare a document for the shipping industry and other stakeholders about proposed management options, possibly by the end of January.
- **Marine Mammal Response:** Fisheries Resource Management has been in discussions with the Canadian Marine Animal Response Alliance (CMARA) about projects that could possibly be funded through the Coastal Restoration Fund or otherwise over the next few years. These discussions will continue next week at a meeting organized by CMARA in Halifax and at a jointly led meeting planned for Ottawa in late March, with the aim of developing a DFO-CMARA plan for projects for next fiscal year.
- **Communications:** DFO's response to Transport Canada's report on the investigation into Joseph Howlett's death is going through final internal reviews. It is expected that Transport Canada will make the report and the response available to the public. Media lines on the report will be prepared for the Minister's press event in Moncton, tentatively scheduled for January 24th or 25th.
- **Recovery:** The Species at Risk Program is preparing an interim progress report on the Recovery Strategy for NARW which will accompany the draft Action Plan for Fishery Interactions. The Vessel Interactions group will be included in the review process for the second Action Plan for Other Threats, which includes threats related to vessel interactions. Once finalized within DFO, the document will be shared with Transport Canada for comment.

The need for coherence between the Vessel Interactions and Fisheries Interactions groups on triggers to escalate management measures was emphasized. It was suggested that a decision chart be developed for both groups to clarify what will trigger certain management actions, how information will flow and who will make decisions. It was suggested that a small committee be identified to make decisions during the season to avoid the possibility of conference calls with multiple decision-makers.



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee for the North Atlantic Right Whale (NARW)
Meeting on January 17, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Associate Regional Director General (Chair)
Alain Vézina	Regional Director, Science
Wendy Williams	A/Regional Director, Ecosystems Management
Donald Humphrey	Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Serge Doucet	Regional Director General
Jackey Richard	Associate Regional Director General
Frank Quinn	Regional Director, Fisheries and Aquaculture Management
DFO Quebec Region	
Patrick Vincent	Regional Director General
DFO Newfoundland and Labrador Region	
Lily Abbass	Associate Regional Director General
DFO National Headquarters	
Louise Laverdure	A/Director General, Ecosystem Science
Jean Landry	Director, Fish Population Science
Randy Jenkins	A/Senior Director, Integrated Resource Management, Fisheries Resource Management
Brett Gilchrist	International Fisheries Officer
Jennifer Buie	Resource Management – Atlantic
Josée Annie Verville	Chief, Enforcement Policy and Standards, Conservation & Protection
Julie Stewart	Director, Integrated Species at Risk
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies

	TOPIC	LEAD
1.	Welcome and Introductions Review of Action Items and Terms of Reference	Annette Daley Sheila Prall Dillman
	Highlights: <ul style="list-style-type: none">Sheila Prall Dillman reviewed the action items in the draft Record of Discussion from the Atlantic Steering Committee's meeting on January 3, 2018, mainly to refresh everyone on the discussion as most	



	<p>of the items would be discussed further at this meeting. The changes discussed at the last meeting for the committee's draft Terms of Reference were also briefly reviewed.</p> <ul style="list-style-type: none">It was noted that the Terms of Reference only lists the members who are Steering Committee representatives. It will be amended to include the other members as well. <p>For Action:</p> <ul style="list-style-type: none">The committee was asked to provide any additional edits to the draft Record of Discussion by January 18, 2018, and to the draft Terms of Reference by January 19, 2018. The documents will then be considered final although the Terms of Reference can be adjusted as required.For the Terms of Reference, Jennifer Buie was asked to confirm if she is the lead for coordinating DFO's activities with the United States on all matters related to the NARW or only in relation to fisheries management.The Atlantic Steering Committee's linkages to other groups currently working on the NARW, including international groups, will be discussed at the next meeting.	
2.	Research, Risk Assessment and Monitoring	Louise Laverdure Jean Landry Alain Vezina
	<p>Highlights:</p> <ul style="list-style-type: none">Jean Landry provided an update on Science's surveillance plan for 2018. Before the holidays Science had developed a number of options for aerial surveillance. As contracts can take months to finalize, Science has begun the process to contract a Twin Otter airplane to monitor whales in the Gulf of St. Lawrence. Science is also working to confirm contributions to aerial surveillance from others including Transport Canada and the National Oceanic and Atmospheric Administration (NOAA). Over the next few weeks the surveillance plan will be reviewed in detail to consider the various management plans being proposed.The Canadian Science Advisory Secretariat (CSAS) recently posted on its website the <i>Science Advice on Timing of the Mandatory Slow-Down Zone for Shipping Traffic in the Gulf of St. Lawrence to Protect the North Atlantic Right Whale</i> (link to report: Science Response 2017/042).CSAS will be meeting next week to review all requests for formal science advice. This is expected to include a more comprehensive risk assessment related to the presence of NARW that will include data for 2018. This may be completed in the fall of 2018 to inform management measures for 2019.Partly due to the short timeline, Science does not anticipate providing further formal advice specifically on NARW before the spring of 2018. However, Science is providing informal advice, assisting in analyzing pros and cons, and providing high level, qualitative risk assessments in relation to various management measures through the Vessel Interactions group, which includes Transport Canada, and the Fisheries Interaction group. This approach seems to be working well and the importance of involving Science in management discussions was emphasized.	
3.	Fisheries Interactions	Frank Quinn Randy Jenkins
	<p>Highlights:</p> <ul style="list-style-type: none">Frank Quinn provided an update that Fisheries Resource Management in Ottawa is considering if protocols to trigger fisheries closures and mitigation measures could be applied across regions. They are also analyzing the overlap between fisheries locations and whale sightings to help guide surveillance plans.Randy Jenkins provided an update that Adam Burns had a preliminary conference call with Fisheries Management in the Atlantic regions on January 15th and will have a follow-up call on January 18th. These discussions cover, for example, what monitoring could be put in place, what measures will be taken when the whales arrive, and what licence conditions could be used. They will also take an inventory of what the regions are doing so they can ensure everyone is on the same page for a coherent	



	<p>way forward. Science and Transport Canada have been invited to participate in these discussions.</p> <ul style="list-style-type: none">• Next week, Fisheries Resource Management will present a gap analysis and options for moving forward to the Fisheries Management Oversight Committee (FMOC). In the following week, Fisheries Resource Management will hold a face-to-face meeting to discuss what can be achieved for April 2018 and beyond. These meetings are partly to solidify the initial feasibility analysis of mitigation measures that began at the management planning meeting on December 11-12, 2017.• Julie Stewart offered to have an expert in the <i>Species at Risk Act</i> attend the FMOC meeting if it would be helpful. <p>For Action:</p> <ul style="list-style-type: none">• Patrick Vincent emphasized the need for coherence between the Vessel Interactions and Fisheries Interactions groups on triggers to escalate management measures. It is helpful that Science is involved in both groups. He suggested a decision chart be developed for both groups to clarify what will trigger certain management actions, how information will flow and who will make decisions. He also suggested a smaller committee be identified to make decisions during the seasons to avoid the possibility of conference calls with multiple decision-makers.	
4.	Vessel Interactions	Patrick Vincent
	<p>Highlights:</p> <ul style="list-style-type: none">• Patrick Vincent provided an update that a large group of DFO, CCG and Transport Canada participants met in Ottawa on January 10, 2018, to review options for management measures with the shipping industry in 2018. They focused mainly on the options presented by Transport Canada, and also considered the industry's proposal. A table with considerations related to three options was developed and provided to the Deputy Minister and Minister's offices. (See the draft table distributed to the committee on January 17, 2017, which is for internal use only.)• Patrick Vincent provided an overview of the options. The first option is the status quo, in maintaining or adjusting the 2017 slowdown zone. The slowdown would be implemented in April and removed at the end of December. The specific location and dates would be based on science advice.• The second option would involve dynamic management of speed in the shipping lanes. The lanes would be divided into three zones. If at least one whale were sighted in a zone, it would be subject to a slowdown for two weeks, which could be extended if there were further sightings. This option is dependent on aerial surveillance.• The third option involved a combination of static and dynamic zones in the Gulf of St. Lawrence. <p>After discussion with Ottawa, it was decided that the departments will return to industry with options that are efficient to monitor and to communicate.</p> <ul style="list-style-type: none">• Transport Canada has asked for a risk assessment in relation to the options. <p>For Action:</p> <ul style="list-style-type: none">• DFO and Transport Canada will prepare a document for the shipping industry and other stakeholders about proposed management options, possibly by the end of January.• It was noted that the measures adopted for the Gulf of St. Lawrence should be consistent with those in other areas. However, different measures are already in place in certain areas such as the shipping lane in the Bay of Fundy and the voluntary area to be avoided in the Roseway Basin. It was suggested that a decision chart be developed to illustrate what would trigger escalating management measures and who would make decisions in relation to whale sightings in different shipping areas.	



5.	Marine Mammal Response	Serge Doucet Randy Jenkins Brett Gilchrist
	<p>Highlights:</p> <ul style="list-style-type: none">• Serge Doucet and Adam Burns are organizing a meeting with the marine mammal coordinators and others in Montreal on February 2, 2018.• Brett Gilchrist has been in discussions with the Canadian Marine Animal Response Alliance (CMARA) about projects that could possibly be funded through the Coastal Restoration Fund or otherwise over the next few years. These discussions will continue next week at a meeting organized by CMARA in Halifax and at a jointly led meeting planned for Ottawa in late March, with the aim of developing a DFO-CMARA plan for projects for next fiscal year. Regional offices will be invited to the meeting in Ottawa.• DFO's response to Transport Canada's report on the investigation into Joseph Howlett's death is going through final internal reviews. It is expected that Transport Canada will make the report and the response available to the public.	
6.	Next Meeting and Next Steps	
	<p>Next meeting:</p> <ul style="list-style-type: none">• The next bi-weekly meeting of the Atlantic Steering Committee will be January 31, 2018.• At the next meeting, the Atlantic Steering Committee's linkages to other groups currently working on NARW, including external groups and international groups, will be discussed to ensure that all appropriate linkages are being made. An inventory of the groups working on threat mitigation and recovery of NARW will be distributed to the committee beforehand to ensure that everyone is aware of the various groups and maintaining linkages as appropriate with stakeholders, other departments and international groups.• At the next meeting, Julie Stewart will provide an update on the draft Action Plans for NARW under the <i>Species at Risk Act</i>. The Action Plan for Fishery Interactions was completed in 2017 and will possibly be accompanied by an interim progress report on the Recovery Strategy. It was confirmed that the Vessel Interactions group would be included in the review process for the Action Plan for Other Threats as it relates in part to threats involving the shipping industry. Once the plan is finalized within DFO, it will also be shared with Transport Canada for comment. <p>Next steps:</p> <ul style="list-style-type: none">• Some key points from this meeting will be provided to Sylvie LaPointe for her situational report on whales for the Deputy Minister, which is now bi-weekly.• The Minister will release a "What We Heard" report from his Roundtable in Moncton on November 9, 2017, at a media event next week (tentatively set for January 24th or 25th). His statements may cover the report from the Roundtable, Transport Canada's investigative report and potential conditions for the snow crab fishery next season. As the shipping industry was also involved in the Roundtable, Patrick Vincent asked to receive a copy of the report and media lines for possible discussion with the shipping industry. Serge Doucet will share these with him and this committee once he receives them.• Julie Stewart will follow-up on the "What We Heard" report on the Let's Talk Whales public engagement sessions. This report is expected to be posted online soon and it was suggested that public messages be coordinated with the Minister's press event. (Julie Stewart subsequently confirmed that the report is expected to be posted a week or two after the Minister's press event.)	

MacLellan, Elizabeth

From: Daley, Annette
Sent: January-19-18 5:40 PM
To: Prall-Dillman, Sheila
Subject: RE: Next NARW SC meeting
Attachments: Terms of Reference -ASC for NARW (draft 2018-01-17).docx

Sorry to be a little late – looks good, couple of very minor suggestions in attached (tracked changes). Have a great weekend!

Annette

From: Prall-Dillman, Sheila
Sent: Friday, January 19, 2018 1:34 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: RE: Next NARW SC meeting

No, I didn't receive any other changes, but I did make a few changes based on the meeting, e.g., Jean Landry confirmed he is invited to some FM discussions. So please review the attached version. Lily said she would respond on Monday about the highlighted reference to Kevin's role.

The main change was that I removed the working groups at the bottom of the governance model since none of the groups seem to be linked with a regional group. I think we can finalize the TOR and have it translated, but still keep the governance model up to date as a separate document to the extent that we know who the groups are working with.

From: Daley, Annette
Sent: January-19-18 1:23 PM
To: Prall-Dillman, Sheila
Subject: RE: Next NARW SC meeting

Good – thanks. I was hoping Jenn would not assume all “international” roles as some groups *raison d'être* are predominantly through the SAR lens, though now even those have an FM implications, so that door is open if she wants to join.

I will do a last read through the last version of the TOR shortly (assume you did not receive any more changes) and will let you know by 3 pm if I have any comments.

Annette

From: Prall-Dillman, Sheila
Sent: Friday, January 19, 2018 12:50 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>
Subject: RE: Next NARW SC meeting

Okay, I will do that. The appointment was sent from the RDG's office, but I can forward the series of appointments to Donald.

So that I could finalize the TOR, I spoke with Jen Buie yesterday about whether her coordination role with the US is only with respect to fisheries management or all issues. She said it's a good question. She thinks it relates to Sylvie's coordination role for whales overall and the need to generally be informed of what is happening with whales. So she doesn't want to change what is currently happening, and only wants to be aware. For example, Donald would continue to attend the SAR WG meetings under the Canada-US Transboundary Steering Committee, but he would keep Jen in the loop (which he may be doing already). So I've kept the wording in the TOR that Jen has a coordination role, without limiting it to fisheries management issues.

I'm working on OPP today but will send you a draft agenda for the next meeting early next week.

Have a nice weekend.

From: Daley, Annette
Sent: January-19-18 12:38 PM
To: Prall-Dillman, Sheila
Cc: Humphrey, Donald
Subject: Next NARW SC meeting

Sheila, can you pls add Donald as a cc to the NARW meeting calendar invites as he will attend some as an Observer.

For the next meeting, as I will not be there and there is proposed to be an item on linkages to external stakeholder groups, can you please include Donald for that agenda item as he can speak to some of these. Thx

Annette Daley

A/Associate Regional Director General, Maritimes Region
Fisheries and Oceans Canada | Government of Canada
Annette.Daley@dfo-mpo.gc.ca | Telephone: [902-426-2250](tel:902-426-2250) | Facsimile: [902-426-2706](tel:902-426-2706)

Directrice générale régionale associée p.i., région des Maritimes
Pêches et Océans Canada | Gouvernement du Canada
Annette.Daley@dfo-mpo.gc.ca | Téléphone: [902-426-2250](tel:902-426-2250) | Télécopieur: [902-426-2706](tel:902-426-2706)

Atlantic Steering Committee for the North Atlantic Right Whale **Terms of Reference**

INTRODUCTION

Fisheries and Oceans Canada (DFO) has established an integrated governance strategy to facilitate a coordinated approach to the management of North Atlantic Right Whale (NARW), Southern Resident Killer Whale and the St. Lawrence Estuary Beluga. Currently, there are a number of sectors and directorates who have involvement in aspects of the whale files at both the regional and national levels. There are also other federal departments in Canada, the government of the United States, various academic and non-governmental organizations, and international bodies with significant roles in various aspects of the whale file.

Reporting to the National Interdepartmental Senior Executive Steering Committee on Whales, the Atlantic Steering Committee for the NARW will provide oversight to the development and coordination of measures to prevent mortality and to reduce harm to the NARW across Atlantic Canada.

PURPOSE

There is a need for immediate management intervention to reduce human-induced mortalities of NARW in Canada by addressing threats from vessel strikes and fishing gear. The Atlantic Steering Committee will provide coordination, advice and recommendations for the National Steering Committee to ensure that effective measures are in place for the spring of 2018 and beyond related to:

- **Research, Risk Assessment and Monitoring:** including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance
- **Threat Mitigation (Fishery Interaction and Vessel Interaction):** including technology development and innovation relating to gear, detection, threat/contact avoidance
- **Marine Mammal and Incident Response:** including the development of zonal protocols

SCOPE

The Atlantic Steering Committee will focus on the NARW throughout its range in Canadian waters, including the Grand Manan Basin (Bay of Fundy), Roseway Basin (southwestern Nova Scotia), the Gulf of St. Lawrence and the western coast of Newfoundland and Labrador. It will also consider potential impacts and benefits of proposed measures to other species, particularly other protected marine mammals.

MEMBERSHIP

The Atlantic Steering Committee is chaired by the Regional Director General, Maritimes Region. Each member is responsible for coordinating the identification and development of recommendations for a key target area of work and for representing that area of work at the committee. The Atlantic Steering Committee representatives associated with the key areas are as follows:

Research, Risk Assessment and Monitoring

- Director General, Ecosystems Science, National Headquarters
- Director, Fish Population Science, National Headquarters
- Regional Director, Science, Maritimes Region

Fishery Interaction

- Regional Director, Fisheries Management, Maritimes Region
- Regional Director, Fisheries and Aquaculture Management, Gulf Region

Vessel Interaction

- Regional Director General, Quebec Region
- Director General, Environmental Policy, Transport Canada
- Superintendent, Marine Communications and Traffic Services, Canadian Coast Guard

Marine Mammal Response

- Regional Director General, Gulf Region
- Director General, Fisheries Resource Management
- Director General, Conservation & Protection

Recovery

- Director General, Ecosystem Management, National Headquarters
- Regional Director, Ecosystems Management, Maritimes Region

The Regional Director General, Newfoundland and Labrador Region, also participates to support each of the areas of responsibility in ensuring that zonal management plans and protocols for NARW are applied across Atlantic Canada.

The Director General, Fisheries Resource Management, also participates to make connections with the National Steering Committee and the other regional committees for protected whales.

The national Manager, Resource Management – Atlantic, co-chairs the Canada-United States Working Group on NARW, and is the lead for coordinating DFO's activities with the United States on NARW.

Alternates:

If the Chair is unable to attend, she will identify an alternate chair among the Atlantic Steering Committee representatives prior to the meeting.

If a committee representative is unable to attend, he/she will identify a suitable alternate and inform the secretariat prior to the meeting. If both representatives for a key task have identified alternates for a meeting, discussion of that task may be deferred to the following meeting at the discretion of the Chair.

Guests and Observers:

Other participants may be invited to attend on an *ad hoc* basis and observers may attend meetings at the discretion of the Atlantic Steering Committee representatives.

WORKING GROUPS

The Atlantic Steering Committee representatives are responsible for overseeing zonal (i.e., Atlantic wide) approach and, where appropriate, working groups to develop, recommend and implement science and management work plans for their respective key tasks. Regional working groups may also be established to support the key tasks.

A proposed working group structure is identified in the governance model at Annex A. The structure, membership and operations of the zonal and regional working groups may be changed at the discretion of the relevant Atlantic Steering Committee representatives. Annex A will be updated to reflect the changes as required.

ACCOUNTABILITY

The Atlantic Steering Committee will augment and strategically align the work ongoing in the individual departments and programs. It is not the intention of the Atlantic Steering Committee to replace, or over-ride, the individual accountabilities that rest with departments and programs for program and service delivery.

On behalf of the Atlantic Steering Committee, the Chair will report to and provide recommendations to the National Steering Committee as part of the integrated governance structure for protected whales.

The Atlantic Steering Committee can make decisions on matters within the members' respective accountabilities and with zonal implications such as tasking appropriate officials and working groups, authorizing interregional meetings and planning processes, approving work plans and allocating resources within existing budgets.

OPERATING PRINCIPLES

As the distribution of the NARW appears to be changing and aggregations could appear in the waters of any region in Atlantic Canada, the Atlantic Steering Committee will

promote zonal (Atlantic-wide) approaches to the scientific study and management of the NARW, to the greatest extent possible.

Recommendations to the National Steering Committee will be made by consensus where possible. If agreement cannot be reached among the Atlantic Steering Committee members, the committee will provide written advice and seek direction from the National Steering Committee and the relevant national sector lead.

ADMINISTRATION

Tenure

The Atlantic Steering Committee will meet for one year, from ~~January~~ December 2017 to December 2018, to coordinate the development, implementation and review of zonal management measures to mitigate risks from fishery interactions and vessel interactions and zonal protocols for marine mammal response. After one year, the need for the committee will be evaluated.

Meeting frequency and format

Meetings will initially be held bi-weekly via conference call. The meeting frequency will be reconsidered when zonal management measures and zonal protocols are developed for the spring of 2018. Should additional meetings or in-person meetings be required, they will be arranged on an *ad hoc* basis.

Secretariat

Policy and Economics, Maritimes Region, will initially provide secretariat services to the committee until human resources associated with the new whale program are staffed.

Meeting Materials

The secretariat will draft meeting agendas based on input from Atlantic Steering Committee representatives and will prepare a record of discussion for each meeting.

Meeting materials should be forwarded to the secretariat for distribution to the committee prior to the meeting, at least three working days in advance, where possible.

This is a bilingual committee. Draft materials will be distributed in the language of origin and final materials will be translated in both official languages, when practical.

Amendments

These Terms of Reference may be amended at any time, provided there is unanimous agreement among committee members.

Annex A - Proposed Model for Coordinated and Collaborative Management of Protected Whales

National Interdepartmental Senior Executive Steering Committee on Whales		Chair: ADM FHM – Sylvie LaPointe, Members: DFO, CCG, ECCO and TC. (Members are ADMs of operational branches, RDGs for DFO's 6 regions, with DG and RD level support.)
Purpose:	Goals/Objectives:	Roles and Responsibilities: Strategic direction and national oversight - To direct priorities of regional working groups to achieve objectives set out for the recovery of specific species (i.e. SRKW, NARW, SLEB). - To act as a central reporting mechanism to inform senior management and respective Ministers across federal departments of federal initiatives to protect whales.
<p>Atlantic Steering Committee for the North Atlantic Right Whale (DFO)</p> <p>To meet biweekly to March 2018 and regularly (schedule tbd) until December 2018</p>	<p>Chair: RDG Maritimes Region – Mary-ellen Valkenier, Secretariat: P&E MAR – Sheila Prall Dillman</p> <p>Members: Recovery Implementation: DG Science – Louise Laverdure, RD Science – Alain Vézina, Wentzell, RD FM Gulf: Frank Quinn, RDG Quebec – Patrick Vincent, DG Environmental Policy, TC – Ellen Burack, RDG Gulf – Serge Doucet, Superintendent, MCTS: Julien Gaudet, RDG NL: Kevin Anderson; DG C&P – Darren Goetze; Manager, Resource Management – Atlantic: Jennifer Buie, Recovery planning: DG EM – Nick Winfield, RD EM MAR – Annette Daley (NARW SAR Lead Region)</p> <p>Goals/Objectives:</p> <ul style="list-style-type: none"> - Recovery implementation for NARW - Reduction of Injury - Prevention of Mortality <p>Recovery implementation for SAR Protected Marine Mammals</p>	<p>Roles and Responsibilities – Coordination, Direction and Decision-making related to:</p> <ul style="list-style-type: none"> - Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance - Threat Mitigation (Fishery Interaction, Vessel Interaction): including technology development and innovation relating to gear, detection, threat/contact avoidance - Marine Mammal and Incident Response
<p>Steering Committee functional leads:</p> <p>Purpose: To coordinate the identification and development of zonal recommendations related to each of the key tasks identified and represent them at the Steering Committee.</p> <ul style="list-style-type: none"> - Research, Risk assessment and Monitoring - Threat Mitigation - Response 	<p>Research, Risk assessment and Monitoring</p> <p>Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing (including gathering external science, e.g., from academia), and surveillance (Atlantic zonal approach, focus on GSL)</p> <p>SC representation: Science DG (NHQ): Louise Laverdure RD Science MAR: Alain Vézina</p>	<p>Threat Mitigation</p> <p>Threat Mitigation (Fishery Interaction, Vessel Interaction): including technology development and innovation relating to gear, detection, threat/contact avoidance</p> <p>Fishery Interaction (Atlantic zonal approach)</p> <p>SC representation: RD FM MAR: Doug Wentzell RD FM Gulf: Frank Quinn</p>
<p>Atlantic Working Groups</p> <p>Purpose: To identify science and management plans and solutions for each of the key tasks and communicate them to the Steering Committee leads.</p> <p>To meet regularly to December 2018</p>	<p>Vessel Interaction (Atlantic zonal approach, focus on GSL) (Coordinates WG of TC/DFO/Industry)</p> <p>SC representation: RDG Quebec: Patrick Vincent DG Environmental Policy, TC: Ellen Burack Superintendent, MCTS: Julien Gaudet</p> <p>The RDG Quebec (Patrick Vincent) and TC Special Advisor (Paul Scott) represent government on the interdepartmental Technical Subcommittee with the shipping industry, which is focused on the Gulf of St. Lawrence (Gulf and Quebec). The Technical Subcommittee includes regional representatives from MAR (Science), Gulf (Science), Quebec, CCG and TC with the shipping industry.</p>	<p>Response</p> <p>Marine Mammal and Incident Response Protocols (Zonal), Coordination of C&P Activities and Approaches (Atlantic Coordination of Regions)</p> <p>SC representation: RDG Gulf: Serge Doucet DG FRM: Adam Burns DG C&P: Darren Goetze</p> <p>The lead coordinator for Marine Mammal Response program (Brett Gilchrist) is developing zonal protocols through the marine mammal response program with supporting leadership from the Gulf Region.</p>

Snow, Anne E

From: Wentzell, Doug
Sent: January-23-18 5:03 PM
To: Berthier, Jacinta; Cherry, Michael
Subject: FW: FYI only: Notes from NARW Meeting - December 2017
Attachments: NARW planning and coordination meeting notes.docx; MECTS-#3862620-v1-FHM-ADM_EOS_MAR-RDG_approval_-Dec_20_-2017-009-00811.TIF; Meeting Participant List.xlsx

FYI...

Doug Wentzell

Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directeur régional, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Daley, Annette
Sent: Monday, January 22, 2018 3:54 PM
To: Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>
Subject: FYI only: Notes from NARW Meeting - December 2017

FYI – as your staff attended.

Annette

From: Humphrey, Donald
Sent: Monday, January 22, 2018 11:07 AM
To: Amirault-Langlais, Diane <Diane.Amirault-Langlais@dfo-mpo.gc.ca>; Bliss, Doug <Doug.Bliss@dfo-mpo.gc.ca>; Hardy, Matthew A (Moncton) <Matthew.Hardy@dfo-mpo.gc.ca>; LeCouffe, Marc <Marc.LeCouffe@dfo-mpo.gc.ca>; Elliott, Isabelle <Isabelle.Elliott@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Williams, Wendy <Wendy.Williams@dfo-mpo.gc.ca>; Gaudet, Julien D <Julien.Gaudet@dfo-mpo.gc.ca>; Prall-Dillman, Sheila <Sheila.Prall-Dillman@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Schaefer, Heidi <Heidi.Schaefer@dfo-mpo.gc.ca>; Niven, Sherry <Sherry.Niven@dfo-mpo.gc.ca>; Verville, Josée Annie <Josee-Annie.Verville@dfo-mpo.gc.ca>; Burr, Linda <Linda.Burr@dfo-mpo.gc.ca>; Walsh, Jerry <Jerry.Walsh@dfo-mpo.gc.ca>; Yetman, Dana <Dana.Yetman@dfo-mpo.gc.ca>; Kean, Jackie <Jackie.Kean@dfo-mpo.gc.ca>; Picard, Marcel <Marcel.Picard@dfo-mpo.gc.ca>; Bouchard, Hugues <Hugues.Bouchard@dfo-mpo.gc.ca>; Rivierre, Antoine <Antoine.Rivierre@dfo-mpo.gc.ca>; Gilbert, Michel <Michel.Gilbert@dfo-mpo.gc.ca>; Landry, Melissa <Melissa.Landry@dfo-mpo.gc.ca>; Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Plante, Francois <Francois.Plante@dfo-mpo.gc.ca>; Morin, Bernard <Bernard.Morin@dfo-mpo.gc.ca>; Grace, Michael <Michael.Grace@dfo-mpo.gc.ca>; Moors-Murphy, Hilary <Hilary.Moors-Murphy@dfo-mpo.gc.ca>; Lawson, Jack <John.Lawson@dfo-mpo.gc.ca>
Subject: Notes from NARW Meeting - December 2017

Hi Everyone,

Thank you for your participation in the North Atlantic Right Whale Planning Meeting on December 11-12, 2017. We wanted to circulate the participant list, meeting notes, and the briefing note that was prepared for the Minister as a result of this meeting. The briefing note summarizes a number of the discussions that took place.

As you may be aware, an Interdepartmental Whales Senior Executive Steering Committee and an Atlantic Steering Committee have been established to provide coordination of activities for NARW going forward. Future inter-regional meetings and discussions will continue to take place through these committees or their existing or soon-to-be established sub-committees/working groups.

Thanks again for your participation.

Donald

Regional Manager, Species at Risk
Fisheries and Oceans Canada/Government of Canada
Donald.Humphrey@dfo-mpo.gc.ca/Tel: 902-222-3877

Gestionnaire régionale, Espèces en Périel
Pêches et Océans Canada/Gouvernement du Canada
Donald.Humphrey@dfo-mpo.gc.ca/Tél.: 902-222-3877

NARW planning and coordination meeting

Day 1: Monday, December 11, 2017

Action: Donald to send a list of attendees.

Action: Donald to send decks to participants.

Meeting purpose/objectives/outcomes:

(see Donald's deck)

- Drivers: SARA, OPP, 2017 mortalities
- Need for improved governance and coordination across regions
- Shifting distribution of NARW
- Atlantic Ocean Results Committee – zonal governance structure – three areas requiring attention – 1) research, monitoring; 2) threat mitigation; 3) response – zonal WGs
- Science operational planning meeting (Nov); MMC meetings; engagement with industry (regional; Ministerial roundtable on Nov 9); international meetings
- Ministerial memo being prepared this week – potential management strategies that could be put in place quickly – this meeting is meant to inform that memo
- Working on short timeframe
- Hope to link together all the different initiatives underway through the discussions at this meeting
- Discuss suite of management options – short, medium, long term options; pros and cons
- Plan for 2018 and beyond
- Identify info, advice, and operational support needs
- Identify what science advice is needed
- Establish effects thresholds for possible dynamic management
- Share info and analyze management options
- Provide list of information needs and support needed
- Start of a zonal management plan for NARW

Context and updates:

- 1) Cathy Merriman: DFO context (see deck)
 - Recent population estimate published – approx. 450 individuals, only ¼ females of reproductive age – see Pace et al. 2017
 - At current rates of mortality, all of reproductive females could be extinct within 25 years
 - Females were never as high in abundance as males going back many years – they seem to be more vulnerable to anthropogenic threats than males
 - Review of necropsy report results – currently being amended to include results of 7th necropsy
 - One of mortalities confirmed to be entangled
 - Four others died due to blunt force trauma

- One too decomposed to determine cause of death
- 7th animal believed to be entanglement
- Problem that needs solving
- Drivers: internal = SARA and OPP; external = MMPA and MSC
- We're not attempting to solve this problem with no foundation – work has been ongoing for many years (e.g. SARA documents; OPP science review; MMRs) – it's not a new problem, but it's gotten a lot of attention this year
- SARA documents: recovery strategy, action plan (entanglement), 5-year RS implementation report, CH Order (to be published as final this week)
- Recovery strategy: seven objectives
- Summary of implementation activities – shows foundation and guidance already in place – international collaboration; right whale recovery network; fisheries WG (MAR); fisheries management; OPP
- The interest in NARWs has been broadened and heightened in light of the 2017 mortalities

Question: What is the next step in OPP science review?

Answer:

“What We Heard” document has been produced from engagement sessions – has been presented to DG-EM – in review process – intended to have it out before Christmas (i.e. online for the public)

Question: What is the timeline for identifying CH in GoSL?

Answer:

Some discussion over the summer about whether we are in a position to identify CH in GoSL – determined we do not have sufficient data yet. There is a lot of interest to identify CH in the Gulf and collect more data, but we can't delineate areas yet.

In science planning meeting, CH was discussed and whether there was enough data to identify it in GoSL – general agreement that more data was needed. It was recognized that there needs to be a focus on data collection in the GoSL area

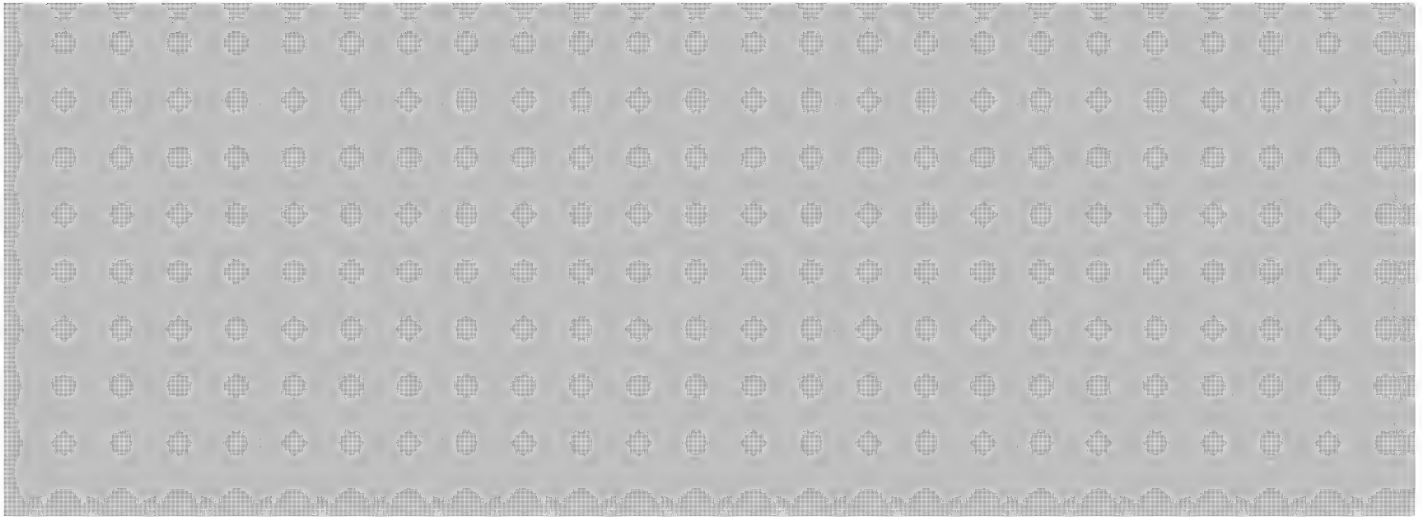
2)

- 3) Hilary Moors-Murphy: Science planning updates (see deck)
- Overall goal – conduct science activities to better inform management measures and promote recovery of the species – zonal plan

- Aim is to be able to assess risk of vessel strikes and entanglement; increase understanding of distribution and movement patterns; evaluate effectiveness of implementation measures
- If we want to reduce threats, it requires collaborative effort within and outside government
- Developing an aerial surveillance plan – assess monitoring needs and available resources – collaboration with Transport Canada and NOAA – putting together contracts to continue with Twin Otter and how we can collaborate with C&P – options have been assembled and being considered for next year.
- Need to develop a broader surveillance plan – currently being developed – what other kinds of monitoring can be built in – opportunistic sightings, data mgmt. and data distribution protocols; acoustic monitoring
- Provide science-based advice e.g. CSAS advice being prepared for timing of mandatory speed reduction measure; short-term science advice being provided on snow crab fisheries and risk in advance of a February meeting (won't be a formal risk assessment – not enough data)
- Would like to conduct more formal risk assessments for vessel strikes and entanglement – a medium to long-term goal
- Increasing understanding of occurrence – short term – analyze data collected in 2017 to better inform 2018 surveillance and mitigation measures
- Enhance aerial surveillance efforts next summer and need surveillance protocol and marine mammal observer training program (establish pool of trained MMOs)
- Continue to support deployment of Slocum gliders in collaboration with Dalhousie
- Conducting feasibility of real time acoustic monitoring options (literature review underway) – meeting in February to look at all the options and by March there should be a document available
- Enhance real-time passive acoustic monitoring efforts – build internal capacity – acquisition of equipment and personnel
- Existing acoustic data sets – need to put effort into analyzing these data for NARW calls – medium to long term project
- Continue to deploy AMARs and analyze data – not real time
- Work underway on prey distribution (e.g. Catherine Johnson and Stephane Plourde)
- Continuing to advance habitat suitability models – takes into consideration oceanographic conditions, prey modelling
- Outreach to increase opportunistic sightings – looking into training at-sea fisheries observers, possibly fishermen – training materials already exist
- Develop a protocol for collection and distribution of sightings/detections in real time
- Looking into developing online platform for displaying sightings in real-time
- Track what population is doing over time is important for understanding effectiveness of mitigation – photo-ID
- Need to continue necropsies and track all incidents
- How do we assess compliance with mitigation measures
- A lot of planning going on right now for 2018 in collaboration with many partners; still working out the details
- A lot of these efforts will address multiple species

s.21(1)(b)

- Need to consider whether measures put in place for one species may affect another species negatively



- 4) Angelia Vanderlaan: vessel collision mitigation WG updates
- Meeting in Montreal – DFO presented what happened in Gulf
 - Looked at suggestions from shipping industry – dynamic management of shipping lanes a possible solution
 - Not IMO traffic separation scheme in GoSL because of ice (not there year-round)
 - Waiting on proposal
 - Next meeting is on December 20
 - Shipping industry wants to know how many whales will trigger management action

Question: Are they looking at lanes going into Baie des Chaleurs?

Answer:

Focusing on main shipping lanes right now.

Question: Would a dynamic management scheme be applied elsewhere?

Answer:

Other mitigation measures have already been applied to BoF (shifting traffic lanes) and Roseway Basin (ATBA). They did not affect the shipping industry significantly.

TC is looking at it in a broader policy context for whales more generally.

Question: Plans to reinstate disentanglement?

Answer:

Waiting on TC report coming out – no timeline for completion. [REDACTED] Will be flagged for Minister as an issue in 2018. Wayne Ledwell, Mackie Greene, Julie Huntington have been hired as disentanglement experts for eastern Canada.

- s.15(1)(I.A.) 5) Jennifer Buie: Can-US bilat updates
- s.21(1)(b) - WG met last week in Montreal – 2-day meeting
- s.69(1)(g) re: (a) - Want to leverage what US has already done and use it in Canada where applicable
- Day 1 – Canada provided broad overview of management, science, and TC plans for 2018; US provided overview for 2018 as well [REDACTED]
 - 2 WGs under ALWTRT formed (rope strength and ropeless fishing) – Canada can participate in these WGs
 - updated on UME process; allows them to access funds to investigate why the event happened
 - had a good discussion about gear mitigation – want to make sure any mitigation applied is effective for our fisheries – Canada wants evidence of effectiveness before implementing
 - Workshop in early 2018 about effectiveness of mitigation
 - TC – dynamic and static management zones – what could be applied to Canadian context
 - Invited TC to become a permanent member of WG
 - Day 2: more technical discussion – overview of monitoring program for 2018 – Canada and US; opportunity to ask NOAA questions; talked about gear marking, avoidance measures; talked about risk assessment process [REDACTED]
 - [REDACTED]
 - WG meetings are a forum for sharing information
 - Steering Committee will meet this month, and there will be another face-to-face planned for March

Incident Response:

Melissa Landry:

- [REDACTED]
- Working to put in contracts with responders for disentanglement
- Protocol for dealing with response – signed contracts with expert responders on Atlantic Canada that can provide advice to responders
- Still have funds under OPP – coastal restoration funds – \$4.5 million for next four years to build external capacity and response (people or gear) – can't cover existing operations
- Started to work with partners in Feb 2017 and was looking for ways to use the funds but it got put on hold because of the pause on disentanglement and the NARW mortality response efforts, so CRF funds didn't get spent this year

[REDACTED]

s.69(1)(g) re: (a)

- Succession planning – very important; for example, Tangly Whales is just two people – need to broaden business and train individuals to do the work
- Many organizations don't have the right equipment or enough equipment
- Working on letter for requesting expressions of interest for CRF funds
- [REDACTED]
- CRF funding – directed funding – targeted, not a general call-out
- Two centres of expertise – Pacific and Atlantic COE – new FTEs associated – coordination centres for the response program – their role: hotline through COE, triage centre, would work with C&P and external partners, seasonal hires of external responders
- CRF funds are dispersed via the Marine Mammal Coordinators in Resource Management
- Need to make sure all sectors are communicating wrt funding sources (e.g. CRF, AFF, HSP)

Discussion:

Heidi went over table to guide discussion – categories: disentanglement response, carcass retrieval, necropsy, distribution of samples, etc.

- In each region, what is the current protocol? What is the decision-making process for managers? What are the science needs?
- A complicated issue – different views on value of necropsies in different contexts – science vs. political vs. media relations issue
- Currently, each region makes its own decision
- NL and QC – marine mammal coordination groups that have a discussion (Science, RM, SARA, C&P) about whether it's feasible to respond
- There is a departmental protocol (decision making guidance – a memo) signed off by DG for species at risk in February 2016 – is it the right protocol? Does it work? If it does work, why isn't everyone using it?
- Criticism received regarding ignoring other species
- **ACTION:** Cathy to share the protocol (memo)
- Need to build better framework for incident response – who develops this and who leads? Incident command system needed within the department.
- Can we develop a UME response protocol within the department?
- Could this be tied in with environmental response? Framework is fairly similar.
- Plan to get more people formally trained on environmental response – limited by capacity of CCG to offer training
- Do we see need to do necropsies on all whales moving forward? OPP science review – necropsies only way to track cause of death for NARW. Almost all of our information on cause of death comes from necropsies – we need to do them to track bycatch, etc.
- We need the definitive causes of death for credibility with industries.
- We don't have a reporting back mechanism on the results of necropsies – no information flow back into supporting regions, across sectors, etc. – need for information loop

- Can we come up with a list of things that we need to have protocols for, and what the responsibilities are?
- Looking to find some kind of uniform approach to respond to incidents, including necropsies.
- Need to work collaboratively toward more cohesive whale program
- Cross-sector response groups have been very effective in the regions that have them – a disconnect between the different sectors exists in the regions where there is not a structured response group – is more resilient if the marine mammal coordinator changes, for example
- QC – group approved by RDG – protocol followed – decision whether to tow the carcass is included in decision making protocol
- Regions need direction on what to do, when (from NHQ?) – what are the limits? What are the criteria you will look at to make a decision? We need to be prepared for exceptional circumstances such as those in 2017.
- Need to have two different ways at looking at events – “regular season” versus “mass mortality event” – a whole other suite of considerations in the latter
- Protocol will only bring you so far
- There should be a national protocol
- In addition to the protocol, there are a lot of additional considerations and decisions to be taken on a case by case basis that will need expert group to weigh in
- When to engage and when not to engage – jurisdictional issues
- What each sector’s role is – everyone sees their piece (e.g. does Science need samples, etc)
- The protocol was never set up to deal with an event of the magnitude such as we saw this year
- Would help external partners understand what departmental limits are
- Regional committee would be able to make a decision when to escalate an issue
- In QC, there are two categories of interventions, simple and complex.
- In Maritimes Region, inter-sectoral RW WG established circa 2013 – idea to have broader cetacean WG, but so far, it only focuses on RW – this could be the existing structure to broaden
- MMPA will require us to estimate bycatch – for large animals that move from the area once they get entangled, necropsies will be the way to get at that information
- Species listed in the US are not always the same as those listed in Canada and vice versa
- Regions have used MMRP funds differently in the past – will this be standardized in the future?
- There is a need for protocols and establishing groups within the regions
- Protocol will take time to establish – are there things that can be worked on now and by whom?
- Can we replicate existing protocols in regions that do not have them?
- Need to have protocols in place before May 1
- Need to also have protocols in place for understanding whether there is a larger event at play (e.g. algal bloom, etc)
- **ACTION:** Regions to share protocols and TORs with Donald
- **ACTION:** Share list of existing WGs across regions and zonally
- Standardization of reporting – no spot to go to get all of the necropsy information for a species quickly
- At the end of every quarter, each region shares list of incidents reported to NHQ and it gets analyzed and a report goes to SARA program – no necropsy reports included

- Canadian Wildlife Cooperative database?
- Central record-keeping needed to track trends
- Is there an existing database template that could be used? Could get a copy of that template from MARS or Isabelle Elliott.
- 2014 CSAS – MMRP reports didn't have enough information for Science purposes – one of the recommendations: need to start thinking about standardizing incidents data management
- Can we minimize duplicative effort and record-keeping? MARS doesn't give all of their information to DFO. Sometimes records do not match. Can we be more explicit wrt data sharing in the contracts with response groups?
- Gear analysis and storage flagged as an issue for future discussion – need documentation protocol, chain of custody

3:15 to 4:30

Entanglement risk reduction [Roxanne took the notes for this session]

Cathy Review of known management options to reduce entanglement risks

- Management strategies for risk reduction are well known and documented in recover documents and OPP science review
- Purpose of this session is to talk about and identify what the strategies are and what options we will proceed with
- Types of Management measures (commonalities between RWWG, OPP and MMRP)
 - IFMPs
 - Reducing rope
 - Gear marking/retrieval/analysis
 - Stewardship from industry
- Pre 2017 DFO was doing the following
 - RW fisheries mitigation working group
 - RW recovery network
- Since the summer of 2017 DFO...
 - Roundtable with the minister on right whales
 - Set up new partnerships with the US
 - Making fishery management measures a priority
 - Engaging with the fishing industry RE: entanglement
- Cathy notes that we can learn and borrow from what others are doing/already one with respect to gear.
- US Entanglement risk reduction
 - US Large Whale Take Reduction Plan (est. 1996)
 - Large Whale Take Reduction Team
 - Mixed reviews of effectiveness
 - Focus on right whales, humpbacks and fins
 - Formed from NOAA, conservationists, scientists, federal and state representatives
 - Was intended to be an evolving plan (1/4ly webinar updates)
 - Focus on gear marking alternatives and ropeless fishing
- US Measures in place
 - Dynamic area management (e.g. space/time closures)

- E.g. complete closure of lobster fishery for 1 of the 3 months because of right whale presence in CCB.
 - Sinking groundline, break away links
 - Mixed results, generally not positive
 - Research and monitoring risk assessments (work resulting from initial work in BOF with respect to shipping lanes)
 - Gear marking by fisheries – only works once an entanglement has occurred
- 2017 Peer reviewed paper of guiding principles from the Take Tea
 - Involve stakeholders
 - Transparent management
 - Use a variety of tools
 - Incorporate adaptive management
- Melissa – put together a table based on the information from the regions that was sent to Donald, so far has input from the Gulf and Maritimes regions
 - 68 measures identified in table (includes duplicates to show the minister that ideas have been repeated across multiple meetings.
 - The table will be part of the information memo to the minister; we want to give the minister a direction as the department.
 - Hilary suggests making sure the MAR measures are not recognized as complete – work is still ongoing.
 - Minister will want to know what we are doing as a department – for example, gear reporting, and preparation of a communications plan ect...
 - Minister has asked what we have heard and what we know.
 - We want to link to the OPP science review
- Donald asked if we could now go around the table and discuss what each region was thinking to implement, what the information needs and gaps are, if measures will be voluntary vs regulatory (MMPA)
 - Identified that it needs to be regulatory and enforceable for people to be compliant – should be a condition of licence. Can amend licence conditions as needed.
 - **MAR Region**
 - Solicit ideas from Industry using a hierarchy of measures
 - Prevent/Avoid (eg reduce rope, reduce fishery)
 - Mitigate (e.g. reduce frequency and severity, gear modifications)
 - Respond (e.g. disentanglement – dangerous and costly)
 - Pros and Cons – safety, cost, effectiveness of measures
 - MAR has started to initiate industry under this hierarchy to identify mitigation measures
 - Industry wants to know what the pros and cons of the measures will be and what their effectiveness will be.
 - MAR has had 4 2.5 to 3 hour sessions with industry
 - Overview of 2017 summer, government response, implications and next steps
 - There were a lot of questions, a little resistance; people think it is generally not a problem in the MAR region.

s.21(1)(b)

- Although there is some resistance, some people will stop up and say things need to change because of the ministers statements
- Hilary mentioned that in MAR a lot of the industry would just like to avoid the interactions in general if possible
- Will have 6 longer workshops in the new year
 - Will be going to Grand Manan in January (the first of 6 information sessions). Grand Manan has a history with right whales, so it is an ideal place to start.
 - Have sent out a guiding document to stakeholders in the hope of having more targeted discussions
- **Gulf Region**
 - Mark – was looking at what is already in place for quick closures in the gulf that could be transferred for use in the snow crab fishery. E.g. grid closures.
 - Comment from Science that NARW “safe” zones are not actually a safe zone, it is just that there were no sightings, need to be careful with interpretation and working of zones.
 - How would we implement this, what level of effort would we need from DFO to support this, what type of support from industry do we need
 - Would we need a large aerial survey commitment (the aerial survey plan for Science is currently in preparation)
 - Michelle ? – with respect to dynamic closures, should we consider how long it takes for fishermen to remove gear and the logistics of that? Will it increase vessel traffic and therefore ship strikes.
 - Industry would rather mitigate, but snow crabs need dynamic management and suggest NARW closures in the form of grids
 - Some fisheries are also open to modifying gear
 - Gulf will be implementing the following in snow crab fishery (and maybe others)
 - Gear marking
 - Reduction of floating rope – regulated
 - Reduction of the amount of rope in the water
- **Quebec Region (Benard)**
 - Responsible for 9 snow crab fisheries, and looking at shellfish and groundfish management measures.
 - Currently working with Gulf for the sGSL snow crab fishery
 - Had 2 meetings with Industry to engage and discuss management measures
- **NFLD Region (Jackie)**
 - No engagement yet, but plans for next year
 - Had a few outreach multi-species meetings, but not specifically RW meetings
 - General occurrence of RW is a surprise for NFLD Region

s.21(1)(b)



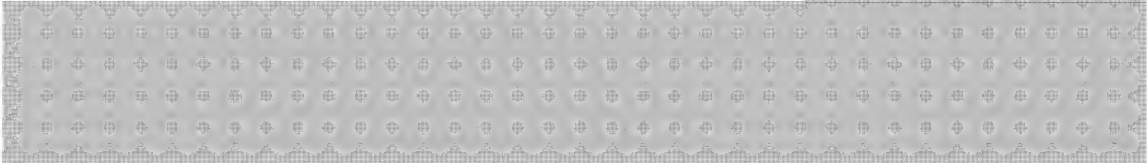
- Donald Question – How consistent do we need to be between regions
 - Jen – unsure, but we should try to have consistency in our approaches in case we need to do analyses at a macro level

The bigger Picture

- Cathy/Hilary - Most fishers don't see Right Whales – BUT most Right Whales see gear
- Annette - 75% of the whales were not seen – they have to be somewhere and we need to think about that when we are making our plans
- We don't get records of all the incidents that happen
- There is a need for training to update new staff e.g. Ariel fisheries officers

Day 2: Tuesday, December 12, 2017

Dynamic area management

- Temporal/spatial closures – Gulf Region – NARW Protection closure grids – based on US protocol – meant as a prevention measure
- Within grid cell 5 sq nautical miles – 5 sightings, grid closed for a week; if 1 sighting, grid under surveillance for a week. Includes the cells around it = becomes a 9 x 9 grid
- Compared to US protocol, the zones that would be closed would be larger in this scenario
- At the roundtable and engagement sessions, it was clear from industry that there was a desire for some form of dynamic management
- Criticism last year in Area 19 which was closed early – when there weren't whales in the area
- 
- We need to be able to support any decisions made
- Took actual sightings data from this summer and applied the protocol to test methods for snow crab fishery (see slides)
- Integrate photo with sightings reports to ensure veracity – don't want someone reporting a whale simply because they don't like where another fisherman is fishing
- Method would be applied through licence conditions rather than variation orders
- Need to test the method on other fisheries
- Not sure this grid approach could be used for marine traffic
- NL Region – w soft shell crab closure needed to take it out of COLs 
- 
- Would only be put in place unless there is complete buy-in – what does that mean – need to meet with industry to discuss – they're interested in spatial/temporal measures, but want to see the mechanism
- Dynamic management approach is intended to protect aggregations – there are limitations to this approach – we don't have the mechanisms to track individuals

s.16(2)


s.21(1)(b)

- Will this be unveiled as a pilot program? Not sure yet.

s.69(1)(g) re: (a)

- Any other regions looking at dynamic management options?
- Very difficult for C&P [REDACTED] – if they get info from fishermen, it is often too late to find the whale again – they spend a lot of time searching – looking to find ways to communicate sightings in real time – lost a lot of time searching for something that was not there – 300 gear removed from the water – need clear priority from Resource Management/departementally
- Sightings info acquired – does it allow for some patterning about how any given whale moves? Can we tell how far they would move as individuals in any given time period? This summer, we weren't tracking individual whales. It would be interesting to look at sighting history of the whale, but the data likely isn't fine enough to get at that kind of information. Not enough to discern a pattern.
- In the US 0.04 whales in a km², would trigger the management measure – science says when whales are in that density they tend to be aggregating in an area which is why that density is used
- Issue of "fence effect" trapping whales within the closed area
- If there are any dynamic management measure developed – they would have to take into account the plan being developed by science, rather than adding pressure on science for more aerial surveys – be sure to discuss with science and adapt the measures on the science plan
- Should the science plan dictate the management plan, or should the management plan dictate the science plan? – chicken and egg issue
- [REDACTED]
- Aerial surveys are limited by weather – will there be a precautionary approach applied when the planes can't fly?
- There is only so many hours that can be flown – limited number of planes – 271 hours just for whales as of November – accounts for 70% of flying time.
- What would be the minimum expectation for aerial surveillance to make this work per week? There will need to be a detailed meeting to work out all of the issues.
- What are the objectives of the science plan? Broad cetacean surveys, finer-scale surveys, photo-ID work, etc.
- Would like to be able to test the habitat suitability models
- Need to agree on a trigger point for management measures – where are those critical points where we move into another level of action
- A contract with a Twin Otter would be good to have – yes, this is part of the Science plan – [REDACTED]
- Triggers – let's use existing literature – don't need additional science advice
- When we go out and engage with stakeholders, we should be clear that it is a trial – it is not a zero risk to entangling animals
- What do we do when we can't fly?
- Just because we didn't see a whale doesn't mean they're not there – need to reiterate this point

s.21(1)(b)

- We have to determine what the risk tolerance is – we'll never achieve zero risk – what is sustainable?
- If you can't fly for a week and have no sightings, what do you do?
- Have to account for relative effort as well – there are still a lot of holes in region that were not flown over frequently
- There is a lot of stuff the US has already tried and have learned a lot of lessons – it would be good to have a grasp on those lessons before we dive into anything new
- US – has seasonal closures and on the periphery they have the dynamic measures – we're going the opposite way – tiered approach
- We have a very different harvester community in Canada – very motivated to help.
- Are we looking at implementing this dynamic management approach just for snow crab or more broadly?
- Need to take a measured approach. Try it in one area and get lessons learned and then expand from there.
- Don't currently have a grid system for all fisheries across all regions
- Steering Committee needs to talk about all of this
- Dynamic management measures are a part of a comprehensive suite of measures
- How do we measure compliance and how do we see if it was effective?
- 
- Whale ID training has been done with at-sea observers – you'll get one or two that are keen, but rarely get sightings from everyone trained. Can we make it more of a priority within the observer program?
- Right now, it is not considered a priority, it is a "nice-to" – C&P can change that
- Whale Alert program – you can take picture of whale and it is georeferenced and submit

Temporal shifts

- Ice moving out earlier
- Coastal ice an issue in southern Gulf – in and around the harbours
- Small icebreaker earlier – discussions with CCG – so that can fisheries could start sooner
- In terms of harbour icebreaking, are we looking for opportunities for industry to contribute financially to assist us? We are bearing a lot of the brunt. Could we ask industry to contribute?
- Timeline for consulting on dynamic management – would be before February
- Part of CCG's mission is supplying icebreaking services to clients, including fishermen – issue they have is availability of ships and an aging fleet
- Not a lot of private capacity to break ice
- Survival of coastal communities – moving ports would affect communities
- Is this approach being looked at for all fisheries? Yes, have started to look at possibility with other fisheries (e.g. rock crab)
- Whales are still in the Gulf now
- In a year with normal quota, many fishermen done in 6 weeks for snow crab

s.19(1)

s.21(1)(b)

- Talked about early start for snow crab in MAR Region
- Have we talked about this with province etc. e.g. processing and market
- They will make it work if it means accessing the market
- Reduction in quota in NL Region – it was plummeting – much harder for them to land their quota – many were giving up and going to different fisheries to supplement income
- Of all the surveys that were done this past summer, only 20-30% of population was observed – should look in 3Ps (south coast of NL) – gill nets present year round (no ice issues)
- St. Pierre Miquelon – they have surveillance program and dedicated patrol – another piece in the education campaign

Ropeless gear

- Gulf did raise it at industry engagement meetings – resoundingly industry said it wouldn't work because of the amount of gear – the density of traps in the water is so high, if you don't know there is a trap there, you'll likely drop a trap over top of another.
- There is technology that allows you can identify if there is something on bottom
- [REDACTED] is putting together a workshop to talk about ropeless fishing specifically late this FY.
- Hasn't gone through a testing phase – a great idea, but a long way to go before it gets implemented
- Not feasible in the short-term
- How will fisheries officers check the gear? There are ways to check.
- Two main categories of ropeless fishing that have been discussed – one with coiled rope that is triggered by remote and one that is truly ropeless.
- Issue with technology is the cost
- Offshore lobster keen to test out the ropeless fishing
- A lot of skepticism, but they are looking at a proposal under AFF to test some systems to see challenges and limitations -
- A lot of concerns around ghost gear associated with malfunctioning triggers, etc.
- Competitive process may make answer much more affordable
- [REDACTED]
- Marking endlines – regulatory changes underway
- How and who will move forward with industry to progress on the implementation of ropeless gear – testing these technologies?
- RM NHQ holding a meeting to look at marine mammal mitigation measures – could look at pilot projects – discussion hasn't been had yet
- Science responsible for experimental design
- Does there need to be one point of contact within department for people to work with if they want to test out ropeless gear?
- [REDACTED]
- How will the outcomes of any experiments be measured and compared

s.15(1)(I.A.)

s.21(1)(b)

- Will need to review each project – may issue experimental licences
- Can we dedicate a portion of the AFF to innovative technologies? This might encourage more proposals of this nature.
- Need regional coordination – can we identify some people who can work collaboratively on this – ensure similar messaging, etc. with industry


Gear marking

- Being considered in the southern Gulf for certain snow crab fishing areas
- Seems to be interest from industry in gear marking
- Doesn't reduce the risk but helps to identify fisheries implicated in an entanglement
- Initial concern that this would just be finger-pointing, but think we've been able to allay those fears – for snow crab fishery – they want it and they are working on a gear marking scheme this month
- Implementing in other fisheries – there has been some talk of it – issue is coordinating across fisheries
- [REDACTED]
- Looking to ensure colour marking scheme does not duplicate that used in the US
- Some of the fishers also looking at tape woven into rope
- [REDACTED]
- Configurations can be different even if the same colour e.g. every 20 fathoms versus every 10 fathoms – what is the basis of one over the other distance? Snow crab gear is about 500 feet of rope. The US found every 40 feet was not sufficient.
- We should be implementing gear marking throughout Canada was a recommendation of the Science review – it should be relatively easy to implement – up to 70% of rope on whales is of unknown origin
- If we want something that works for all fisheries moving forward, we will need something more sophisticated, such as serial numbers, not just colours
- Printed tape with identifying information woven into the rope – longer term transition – phase out existing rope over time – wouldn't matter what part of the rope you found, you would have that info – cost is next to negligible, but you have to plan ahead
- Microchip in the rope - would have reader
- Is there a way of distinguishing ground and vertical lines?
- Can we develop an Atlantic-wide committee with fishermen involvement?
- Weaving in twine is a short-term or transitional measure until something more sophisticated like microchip.
- Marking by management area in the Gulf
- Is gear marking being considered in other regions? MAR Region has talked about it at engagement sessions – want to coordinate with US
- Industry is coming forward with gear marking options

s.21(1)(b)

- More buy-in from industry if the marking indicates species and management area rather than an individual fisherman
- Rope lasts 5-6 years – phasing in will take some time
- Gear marking will be made a condition of licence
- Issue – if a fisherman fishes two different species and uses the same rope -- rope is expensive so is it reasonable to ask for separate rope in each fishery?
- Industry seems to be okay with gear marking
- Steering Committee – do we need a body to coordinate the gear marking in Atlantic Canada?
- Is there a need for some kind of WG?
- Fisheries managers are coordinating across regions.

Rope strength

- 1700 lb rope strength not strong enough for snow crab fishery
- Willingness from industry to reduce to no stronger than what is necessary to execute fishery
- As rope ages, breaking strength lessens so need to make sure it is strong enough to withstand fishery over a period of years
- Rope being used right now is probably overkill – room to reduce
- Snow crab gear is using 12,000 lbs
- If gear catches down on bottom, then they need stronger rope to ensure gear releases from bottom (e.g. muddy bottom)
- 
- Gulf snow crab – AFF project – rope strength, gear marking, ropeless gear – R&D to go forward
- Could they look at smaller pots that would require lesser rope strength?

Reducing amount of rope in the water

- Ways to adjust the amount of rope
- Floating rope and requirements for sinking rope next year
- This was seen as low hanging fruit
- How do you put it into conditions of licence – ensuring that no rope is floating on surface of the water
- Not everyone bothers to coil up their rope
- Issue in BoF – how do you come up with a condition that addresses slack water/high tide and when gear is hauled
- Industry feels weaving in some leaded line within existing lines instead of having a continuous sinking line
- We want to regulate the rope floating on the surface
- Is this something that can be implemented across regions – taking into account tidal ranges, etc. – can the COLs be similar?
- Is it worse to have the line floating at the surface versus floating at the subsurface? Do we know enough about whale behaviour to say which is better?

- s.21(1)(b) - Most of the space it's using is subsurface? Are we creating another problem by moving it from
s.69(1)(g) re: (a) the surface?
- If we could describe how rope performs in the water column, it would help.
 - As of right now, it is not a COL in any region, just voluntary

Reducing number of traps

- Gulf Region looking to reduce the number of traps to reduce the number of vertical lines in the water – every fleet says it's another fleet's issue – how do you move forward in that environment
- Wouldn't want to impose a management measures that would negatively impact the safety of the fishermen – there are technical limitations according to industry wrt to # of traps
- [REDACTED]
- Is it possible to have more traps earlier in the season and get them out earlier – did talk about that – processors would have something to say about that – saturate the market -- there are practical limits in the number of traps you can put out
- Maximizing fishery in shortest amount of time when the whales aren't there – most obvious beneficial solution – if the market can withstand it.
- Avoiding time-space overlap is the best solution – being seriously considered for crab fishery in the Gulf – has there been an analysis for other fisheries? Is there potential for other fisheries to move opening and closing dates? Always comes back to the question – when do the whales come in?
- How do we track success of measure – do we have baseline information in fisheries? Can only estimate. No way to say how much gear is in the water at any given point.
- As all of these measures get put in place, important to document rationale for measures and how we gauge success.
- [REDACTED]
- Looking for opportunities to collaborate with Oceans division?

Mandatory reporting of lost gear

- Each fishermen probably loses between 3-5 traps a year – probably 45,000 traps on bottom of Gulf
- If we can start getting reports of where the last set was – it's a place to start searching for it to retrieve it
- We want every trap to be reported
- AFF – project to retrieve lost gear being put forward
- Want to manage negligence in the fishery
- E-logs – every trap marked geospatially
- Need a retrieval program in place

- s.21(1)(b)
- s.69(1)(g) re: (a)
- Tags not issued by the department they are issued by tag issuing companies – some have found a way to order from two different companies and have double the tags
 - Need the tools to gather the information and manage the information
 - Buoy marking
 - Actively fished gear is the greatest risk to RWs as opposed to ghost gear
 - Funding to keep retrieval efforts going – who's responsible? Initial start-up costs – grappling gear, vessels fitted out properly – should have industry contribution of funds on an ongoing basis
 - NL has mandatory reporting on lost gillnets [REDACTED]
 - Could make changes on tagging requirements – things that are within DFO control
 - If the gear is marked it will be easier to enforce mandatory reporting of lost gear
 - If you get a report of gear gone missing, would it be a flag for surveillance?
 - [REDACTED]

Miscellaneous

- [REDACTED]
- Need to get clear on terminology wrt to risk, goals, etc.
- DFO is incurring a lot of expenses, shipping industry incurred a lot of cost
- Need to look at transference of costs across the sectors
- How to tease out departmental responsibilities vs industry responsibilities etc.
- SARMD transfers money to C&P area office (SWNB) to undertake aerial surveillance – Bay of Fundy – a form of dynamic management? “Mitigation Strategy” that is already in place
- Need to review this program – how to go about it?
- Can you use the temperature of the water to find the prey of the NARW? Not that easy because they are eating the fifth stage of a copepod – a lot of factors involved in distribution – fronts, temperature, etc.
- Drone use difficult in the offshore due to uncontrolled airspace – there are civilian aircraft around – need clearer regulations
- Spatial/temporal avoidance – if we decide to do dynamic management on fisheries side, would we also be communicating that to the shipping industry – would the same spatial management measures be required by TC?
- TC looking at several options [REDACTED] –
Angelia received proposal this morning [REDACTED]
- Not clear where TC proposal intersects within DFO
- Need to get to a common trigger point – should be Government of Canada-wide
- Should probably have a workshop that includes TC
- Let's agree on what the minimum standard is – if a region wants to exceed it that's fine
- How long it takes for an industry to react – takes days for them to get in compliance – lead times are different for different industries

- s.21(1)(b)
- Chris Taggart's group is looking at a vessel separation scheme
 - Industry wants predictability – probably need a mixture of static and dynamic management measures
 - Does there need to be a conversation with the Pacific regarding how the shipping industry is managed (e.g. wrt SRKW) – need governance structure that allows for regular dialogue across the country

Coloured rope

- Red rope – discussed with industry in Gulf, but not being actively pursued
- In MAR Region, it is among the things talked about
- Seems that NARW can see the colour red more than others so may avoid red ropes – limited research that so far supports the hypothesis
- Industry felt this would be a relatively easy measure to implement – could do a small-scale experiment – don't want to make this a widely applied approach without testing first – need to be clear about the outcomes you might expect
- Would be nice to have inventory of what type of gear and rope used in different fisheries to see how often red rope is used – could look to see if an entanglement had ever been reported in red rope
- Ability to study and examine it will be an important consideration as with all of the other measures

Reduce the amount of lost gear

- Some gear might be lost because float is being cut by stabilizing device on the boat – is there a solution to that to avoid the buoys getting severed? Is there a technical solution to reduce that risk? Or is it a training/education solution? Combination? Has to be discussed with TC.
- Is there a penalty that could be levied for lost gear? Cost recovery?
- Lost gear is usually not purposeful – it is expensive.
-
-
- There will likely be a lot of self-policing that goes on

Weak links

- In Gulf Region, no support from industry because they haven't been found effective in the US
- Fishermen concerned that they will lose their gear
- Might be better for some fisheries over others

Miscellaneous

- Transferring traps among fishermen – snow crab – see table

s.21(1)(b)

- Transfer 100% of ITQ before season – see table

Soak time/gear tending requirements

- Industry interested only if it comes with real time system for monitoring so that they don't need to be tending it more than needed
- Setting or hauling in presence of whales – more of a risk? Also increased vessel traffic going to and from gear.
- Cannot tend 150 traps all at once
- COL is the tool for implementing gear tending requirements – tailored to fishery – offshore vs inshore fisheries
- COLs must consider Safety at Sea at all times
- Currently there is a 72 hour tending requirement in the regulations

We have to be prepared to act when triggers are set off and have the tools needed. We have to be nimble.

Need to be mindful of the fact that even when we're monitoring we're not seeing the whole population.

Next steps/final thoughts:

SARMD to package up info discussed today for Atlantic Ocean Results Committee and NHQ

Information will be funnelled up to Sylvie (ADM, Fisheries) via Atlantic Ocean Results Committee and Steering Committee – not really sure how this will all happen

In terms of memo for minister – measures that will likely be implemented – should we attach SARMD table developed over the course of this meeting? A better product for the minister.

Risk mapping - include all of the threats and species distribution – some work being done in the Gulf – Dalhousie graduate student – look to Marxan analysis as a start?

SPERA funding for risk mapping already in place – has been delayed



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UNCLASSIFIED
GCCMS #: 2017-009-00811
EKME #: 3853410

To: Catherine Blewett
Pour:

Date: December 18, 2017

Object: NORTH ATLANTIC RIGHT WHALE ACTIVITIES UPDATE
Objet:

From / De: Adam Burns, A/Director General, Fisheries Resource Management

Via: Sylvie Lapointe, Senior Assistant Deputy Minister, Fisheries and Harbour Management

19 DEC. 2017

Additional approvals:

Autre(s) approbation(s):

 DEC 19 2017

Arran McPherson, A/Assistant Deputy Minister, EOS



Material for the Minister
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Remarks: This briefing note was developed in consultation with the following regions/sectors: Gulf, Maritimes, Quebec, Newfoundland and National Capital Region sectors from Resource Management, Science, Conservation and Protection and Species At Risk.

Distribution: Regional Directors General – Atlantic Regions and Quebec

Drafting Officer/
Rédacteur:

Melissa Landry (613-852-5619) / B. Gilchrist / R. Jenkins / JQ



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Mary-Ellen Valkenier
Regional Director General
Maritimes Region

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Fisheries and Oceans
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Canada

Deputy Minister

Sous-ministre

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2017-009-00811

EKME #: 3853410

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE ACTIVITIES UPDATE
(FOR INFORMATION)**

SUMMARY OF INFORMATION

The purpose of this note is to provide you with an overarching preview of activities to be undertaken with respect to addressing the threats to North Atlantic Right Whales (NARW), including follow-up actions based on the November 9, 2017, Roundtable meeting.

In moving forward, the Department will focus on reducing the risk of entanglement through avoidance measures such as area closures and changes to seasons/locations of fishing activities. This will require the support of a comprehensive monitoring and surveillance program being led by Science and supported by Transport Canada and Conservation & Protection, and the U.S. National Oceanic and Atmospheric Administration (NOAA) using a variety of tools and platforms. In addition to avoidance measures, the Department will also continue to work with industry on mitigation measures through gear innovation and will also seek to build capacity in support of marine mammal response. Potential measures have been categorized into themes (Tab 1), including implementation feasibility for 2018; if determined to be feasible, some actions will require longer-term planning and science support. There will also be a need to link closely with scenarios being developed with the shipping industry to deploy the surveillance program in support of both the fishing and shipping industry, and ensure congruency amongst the suggested measures.

The Department will continue to work internally with key sectors to ensure alignment between key deliverables and outcomes under programs such as Species at Risk, and work under the Oceans Protection Plan, are reflected and incorporated into the proposed activities. There will also be continued engagement with industry to ensure an open and transparent process as we move to implement measures for the upcoming season.

Regions will develop a suitable suite of measures based on their fishery characteristics and requirements; their specific measures will be communicated to you in advance of their 2018 fisheries.

A communications plan which reflects the departmental strategy with respect to NARW will be developed.

BACKGROUND

During the summer of 2017, an unprecedented 12 North Atlantic Right Whale (NARW) deaths were confirmed in the Gulf of St. Lawrence. The 'Incident Report- the North Atlantic Right Whale Mortality Event In the Gulf of St. Lawrence, 2017', released by the Canadian Wildlife Health Cooperative on October 5th, 2017, confirmed that entanglement in fishing gear and blunt force trauma were the leading cause of death. NARW are listed as Endangered under the *Species At Risk Act* (SARA).

Recognizing that right whales are found throughout Atlantic Canadian waters for much of the year, the Department is committed to developing a comprehensive long-term plan to mitigate threats to these endangered whales. As such, the Government of Canada has been working with scientific experts, industry, environmental groups, the Canadian public, and NOAA to identify actions that can be taken. In addition to the Roundtable you held in November, the Department has been involved in bilateral meetings with the U.S. and engagement efforts under SARA and the Oceans Protection Plan (OPP) concerning the proposed Action Plan and Science-based Review of Recovery Actions for the NARW. Regional offices have organized targeted meetings in key fishing industry communities to identify potential mitigation measures. Many of the proposed measures discussed were echoed in the regional engagements.

On December 11-12, 2017, a NARW Planning and Coordination meeting was held to discuss DFO management sector response efforts to reduce risks and to support both SARA recovery objectives and OPP commitments to reduce injury and mortality of right whales. The meeting brought together multi-regional sectoral representatives (Science, Resource Management, Species at Risk, Conservation and Protection, Coast Guard) to review the findings from your Roundtable and to strategize as to appropriate and reasonable regional measures for 2018 and beyond.

STRATEGIC CONSIDERATIONS

There are a number of ongoing and planned initiatives that frame the 2018 strategy for NARW in science, fisheries management, within different regional offices, with other government departments (Transport Canada and Environment and Climate Change Canada) and with stakeholders. Actions identified to address the threat of entanglement during the Roundtable and subsequently discussed at the NARW Planning and Coordination meeting can be categorized into themes, which are explained in further detail in Tab 1, including feasibility for regions for 2018. The table represents a preliminary list based on what was heard but is still being reviewed to identify which items are feasible and prioritize as required. However, the concluding consensus was that the Department's primary focus will be on avoidance measures, with complementary mitigation mechanisms and enhanced response. The main categories are: Prevention/Avoidance: e.g. area closures, changes to seasons/locations of fishing activities; Mitigation: e.g. gear innovation, gear retrieval; and, Research and Monitoring: e.g. gear marking.

Supporting and underpinning these categories are robust monitoring, reporting and data collection regimes that will require education and outreach to industry operators and at-sea observers. Some of the actions identified are longer-term initiatives that will begin but not be completed in 2018.

.../3

s.69(1)(g) re: (a)

In planning for avoidance and mitigation measures it is important to note that whale detection activities, as well as actions to address the threat of entanglement for NARW will be of benefit to other species of marine mammals and will help us meet requirements as per the U.S. Marine Mammal Protection Act (MMPA).

Industry is very motivated and proactive in part due to external pressures, such as from the U.S. MMPA rule and Marine Stewardship Council certification requirements. In Gulf Region the snow crab industry is very supportive and will be submitting a project proposal to the Atlantic Fisheries Fund that contains a suite of mitigation measures they would like to test for effectiveness. Similarly, the offshore lobster licence holder has expressed a desire to test ropeless fishing methods in Lobster Fishing Area 41.

Given that the Southern Gulf of St. Lawrence will likely be an area of aggregation for NARWs in 2018, and stakeholders are collaborating to advance management measures, the Gulf Region has developed, with the collaboration of the Quebec region, a detailed plan with the Snow crab industry and the two regions are committed to implementing a suite of management measures to avoid and mitigate entanglement in 2018. The specific measures being proposed for this fishery will be presented to you in a separate memo shortly.

Consideration will be given to similar measures for other regional fixed gear fisheries such as Snow crab and lobster, as well as measures for other impacted fisheries, in coordination with the respective fishing advisory bodies, including Indigenous groups, and the appropriate departmental sectors. In every Region, emphasis will be placed in all consultations with stakeholders on best practices to avoid and mitigate fishery interactions with marine mammals.

An important part of the suite of measures is the Marine Mammal Response Program and incident response. Currently there is a pause on any disentanglement activity related to NARW and there have been calls for the Department to lift this suspension by our third-party response providers. Analysis and consultation is required before resuming activity; in addition, work will be undertaken to develop a strategy with respect to incident response and its components (necropsy etc.). Further, there is a need to build capacity among third-party response providers, specifically for disentanglement response as it is a critical component of the suite of measures planned.

SCIENCE ADVICE

With respect to NARW, Science is developing a comprehensive plan for 2018. In the short term, advice is being provided to Transport Canada and to the shipping industry through the Canadian Science Advisory Secretariat on the timing of NARW occurrence in the Gulf of St. Lawrence. For 2018, a robust monitoring and surveillance program is being developed, with multiple platforms and in conjunction with partners such as Transport Canada, Dalhousie University and NOAA. These include for example, aerial surveillance, gliders for passive acoustic detection, developing protocols for collection and distribution of sightings, all with the objective of

.../4

increasing our understanding of NARW distribution and having the ability to report in as near real-time as possible the occurrence of NARW. In addition, Science will continue to advance NARW prey distribution and habitat suitability models as well as other activities to better target risk-based surveillance efforts.

Key to the successful and optimal deployment of the science NARW activities is working closely with the client sectors to identify operational criteria that will trigger management actions and scope of the surveillance efforts.

INTERDEPARTMENTAL CONSULTATIONS

The Department is closely engaged with Transport Canada and Environment and Climate Change Canada on this file and will continue to collaborate with them to ensure consistency in approaches for measures being implemented.

INDIGENOUS CONSULTATIONS

Indigenous organizations have been part of regional consultations and the Roundtable and have provided views in support of plans for the 2018 season with respect to whale avoidance/mitigation.

EXTERNAL CONSULTATIONS

External consultations were held in Gulf, Quebec and Maritimes Regions with industry stakeholders and non-governmental organizations.

ADVICE TO MINISTER

The Department will continue to take a proactive posture as we work internally and with our stakeholders to refine the management actions proposed for the 2018 season and beyond with a focus on avoidance.

The Gulf Region will shortly be providing a detailed plan that outlines specific mechanisms that will avoid and mitigate fishing interactions with NARW and other marine mammals within their region.

A communications strategy will be developed to publicize the Department's approach for the 2018 season.

Catherine Blewett
Deputy Minister

Kevin Stringer
Associate Deputy Minister

Attachment:


- 1) Table: Entanglement Risk Reduction and Incident Response

Departmental strategy				
Management measure	Description	Regional Implementation status (active/planned/uncertain)	Suitability in which fisheries	Operational Requirements to Implement
Prevention - measures to reduce the probability that encounters will occur				
Dynamic area management - temporal/spatial	Time/area closures based on detecting the presence of whales. Implemented in near real-time. Dynamic area management is meant to protect aggregations of whales, not individuals.	<p>Gulf: currently exploring this option and may implement next year if feasible. If applied in 2018 could just be on a 1-year trial basis. The approach would be based on a combination of soft-shell crab protocols already in use (grid system) and US whale protocol trigger points. Quebec region is exploring this measure along with Gulf for potential application in the Northern Gulf.</p> <p>MAR: starting to explore the use of a grid area and protocol for action in Lobster fishery - planning is not advanced. The Bay of Fundy mitigation plan is a form of dynamic management that has been in place for 10 years. It involves a whale reporting system in place and gear is removed or moved in response to whale presence.</p>	<p>Snow crab (Gulf) - given grid management system already exists. A grid system could be applied to any fixed gear fishery, so could be applied anywhere.</p>	<p>1) Significant surveillance needs - highly reliant on ability to detect whale presence. Surveillance could include aerial surveys, boat based, and opportunistic or industry reported sightings. 2) Mechanism to get sightings information to decision makers and responders as quickly as possible. 3) Define thresholds/trigger points to elicit management response. Default minimum is to meet US equivalent. 4) Defined management responses to identified trigger points. 5) Mechanisms to undertake management responses. 6) Consultation with fisheries to evaluate options. 7) Clear indication of priority among other operations for C&P. 8) Plan on how to monitor and enforce compliance with directions to move fisheries or close areas.</p>
Planned spatial avoidance - restrict fishing at specific depths	Specific depths used to restrict fishing activities. Spatial management to avoid interaction with whales.	Quebec implemented this in summer 2017. Restricted fixed gear fisheries in depths greater than 20 fathoms.	Fixed gear.	Mechanism to restrict fishing to specific depths. Compliance monitoring.

s.21(1)(b)


<p>Planned temporal avoidance - Start season earlier or later, or split seasons</p>	<p>Planned ahead based on anticipated timing of whale presence. Fishing season is altered to avoid interactions with whales</p>	<p>Gulf looking at earlier start date from snow crab. Quebec looking at reducing the fishing season - fish quota more rapidly. NL - exploring shifting times in snow crab season. MAR: have looked at earlier march start. Issues with having Science data provided on time to support quota setting.</p>	<p>Gulf snow crab - early start. Looking at varying start times of Toad and Rock crab fisheries as well. Potentially suitable in other fisheries - TBD.</p>	<p>1) Coastal ice removal in fishing harbours if early season start in Southern Gulf. Discussions about Coast Guard ice breaker use to open harbours (fishing areas are ice-free). 2) Consultation with industry - Having some fleets start earlier than other, may be difficult to sell to fishermen. 3) Coordination - Altering the start/end time of fisheries could have impacts on those who harvest more than one species.</p>	<p>Short - medium term.</p>
<p>Eliminate rope - ropeless gear</p>	<p>Fish using gear that does not include rope to remove entanglement risk. Technologies are being developed to fish bottom trap gear without the use of vertical lines.</p>	<p>Gulf: Industry doesn't think it will work for snow crab. Gulf Science is purchasing ropeless traps to test experimentally with their scientific gear. MAR: interest in offshore lobster. Quebec - sceptical that tech for ropeless gear is at a level that will work.</p>	<p>Fixed gear fisheries. Gulf: concerns that it won't work because of the amount of gear and proximity to other sets of gear. MAR: interest by offshore lobster (1 licence holder).</p>	<p>This technology is experimental. 1) Need technology to detect the presence of already set gear to avoid overlap. 2) 3) Need to determine how fishery officers will monitor and enforce ropeless fisheries. 4) Testing of the technology to ensure it can be made operational. Confirmed that DFO can issue experimental license to use ropeless gear. 5) Process to ensure testing of ropeless gear is done in a scientific manner - experimental licenses review involves some oversight by DFO Science. Could develop specific protocols for testing such gear.</p>	<p>Experimenting - short term. Operational - med/long term.</p>

s.21(1)(b)

Reduce excess rope - reduce # vertical lines	The number of vertical lines used is minimized to reduce opportunities for entanglement. This can be accomplished by trawling up (e.g. fishing more traps per set in lobster fishery).	MAR - Interest with offshore lobster.	Fixed gear fisheries fish multiple traps per set.	 Short - experimental licenses. Medium - operational (given regulatory changes needed).
Reduce excess rope - adjust rope amount when gear fished in different depths	When the same gear and amount of rope is fished at different depths, there may be excess floating rope when in shallower waters. Rope length could be adjusted when fishing at shallower depths when less rope is needed. Minimizing the amount of rope in the water is meant to reduce opportunities for entanglement. Could be accomplished by setting requirements around the amount of floating rope permitted.	Gulf considering various methods of reducing amount of rope in the water via condition of licence. Quebec: interest in regulating amount of floating rope.	May not be suitable to implement in some areas like Bay of Fundy where high tides are an issue.	1) Mechanism to regulate rope floating on the surface. Could be done via licence conditions in snow crab fishery. In some MAR Region fisheries there are voluntary measures or codes of practice to reduce the amount of rope in the water. Wording could potentially be adopted in licence conditions.
Eliminate floating rope - using weighted rope	Rope is weighted to prevent it from floating at the surface, and to make lines more taut. This is thought to reduce the opportunity for entanglement. Rope can be weighted by weaving in lead line, or by attaching weights.	Gulf considering various methods of reducing amount of rope in the water via condition of licence. Industry has shown interest in using leaded rope. Quebec: interest regulating amount of floating rope.		Mechanism - likely via condition of licence. Weaving in leaded line in to existing line could be more short term.

Reducing amount of rope in water by reducing the number of traps fished	Reducing the number of traps fished to reduce the number of vertical lines in the water.	Gulf: Considering. Quebec: not considering this currently in northern Gulf.	Potentially in lobster fishery. Gulf - fishermen think it is not suitable for snow crab. Multiple snow crab traps are used in Quebec (due to high currents in estuary) and Maritimes Region.		Could be tested by some fishermen for Gulf snow crab?
Dynamic management of trap numbers based on whale presence/absence	During the fishing season, decisions can be made to increase or decrease the number of traps fished based on whale presence/absence. Decreasing trap numbers would be done to reduce risk of encounters when whale are present. Increasing trap numbers would be done to allow quota to be reached more quickly while whales are absent.		Fixed gear	See dynamic area management above. Many similar requirements.	

s.21(1)(b)

Reduce amount of lost gear - mandatory reporting of lost gear	Mandatory reporting of lost gear to allow DFO to understand scope of lost gear issue, and could prompt efforts to retrieve lost gear.	Gulf planning to implement in all set gear. Via conditions of licence. Quebec planning to implement.	1) Could be facilitated by E-log reporting of trap location - but not in place yet. 2) Tags are issued by 3rd party. Would DFO need better controls to make this work? Fishermen could just be issued another tag. 4) Need administrative system for reporting. 5) Ensure log data includes information that can be corroborated with VMS. Problem is with smaller fleets. 6) Mechanisms to ensure compliance. NL has mandatory reporting  7) Mechanisms to improve reporting. This could be done through logbooks.	
Reduce the amount of lost gear - gear retrieval	Removing lost or abandoned gear from the water reduces the opportunity for entanglement.	MAR: Fundy North Fishermen's Association has received HSP funding for several gears to develop and undertake a gear retrieval program in the Bay of Fundy.	1) Decision on who should be responsible for retrieving lost gear and should it be voluntary or mandatory 2) Education for new fishers on how to limit lost gear.	
Reduce the amount of lost gear - Mark rope so it can be identified back to	Mark rope to allow lost gear to be identified and returned to the user.			

Coloured rope	Research suggests that NARWs should be able to visually detect the colour red. Using red rope in the water may result in fewer encounters if NARW detect and avoid red rope.	Discussed in Gulf but not being actively pursued. Discussed in Maritimes. Interest within industry.		This approach would require further research.	Would need to coordinate with other rope measures. Would need to phase in since new rope would need to be purchased.
Mitigation - measures that reduce the severity of encounters when they happen					
Reduce rope breaking strength - alter rope diameter and strength	US has researched preferred breaking strength for NARW. This applies to the full length of rope. If a whale becomes entangled, they are more likely to break free in weaker rope.	Gulf: may not work for snow crab due to weight of trap. However, industry is willing to reduce strength to extent possible but still safe and operational.	Snow crab fishery cannot meet recommended rope strength, but could be suitable for inshore lobster.		
Reduce rope breaking strength - breakaway links	Rope would include sleeves or joints with "weak links" so that specific areas of the rope are designed to break under force (e.g. if a whale becomes entangled).				
Tend gear to monitor and avoid		Required in 2017 in some areas		Implemented through condition of licence but may not be practical to require constant tending. Safety at sea should also be considered.	
Measures for research or monitoring - to better understand the nature of encounters should they happen					

s.21(1)(b)

Gear marking	Rope used in fixed gear fishing is marked with a unique colour code per fishery, to allow later identification to fishery/region should entanglement occur. Gear marking itself is not an avoidance or mitigation measure. It may lead to information to inform avoidance or mitigation measures in the future.	Planned for 2017-18 in Southern Gulf snow crab fishery. Quebec - northern Gulf area, exploring application for next year. Not certain. Concept has been discussed for zonal application in Atlantic Canada, but no firm plans for implementation. MIAR : gear marking being discussed in consultation. May not be ready to implement next year.		Implemented through conditions of licence. Coordination scheme to ensure no overlap with other fisheries and in the US. Zonal scheme would need to be developed with increased sophistication. Gulf - engagement with industry has indicated that weaving in coloured rope would not be too burdensome. Also, tape can be woven into rope to identify fishery origin. Gear marking would be made a condition of licence. A solution is needed for when rope is used for more than one fishery. Regional Managers will need to coordinate.	Depending on the method, gear marking could be implemented in the short term. Simple marking methods (paint/tape/weave in twine) are being proposed. Tape or microchip would likely be feasible in the medium term. Tape could identify fishery and zone, but not the individual.
Risk analysis and planning measures					
Risk modelling	The development of a risk map that indicates risk of fishing interactions with whale distribution	Gulf: some happening for vessel and fishery in the Gulf.			
Additional Measures for consideration					
Marine spatial planning					
Gear changes to reduce drag - buoy design					
Reduce number of traps - Transfer of ITQ/Transfer of traps between fishermen in different areas					

Attendees to NARW zonal management meeting - December 11-12, 2017

Name	Region	Sector	Participation	Present (Y/N)
Diane Amirault-Langlais	Gulf	EM-SAR		Y
Doug Bliss	Gulf	Science		Y
Matthew Hardy	Gulf	Science	By phone	Y
Marc LeCouffe	Gulf	RM		Y
Isabelle Elliott	Gulf	RM	By phone	Y
Annette Daley	MAR	EM		Y
Wendy Williams	MAR	EM		Y
Donald Humphrey	MAR	EM-SAR		Y
Julien Gaudet	MAR	MCTS		Y
Sheila Prall-Dillman	MAR	OPP		Y
Jacinta Berthier	MAR	RM		Y
Marilyn Sweet	MAR	RM		Y
Cathy Merriman	MAR	SAR		Y
Heidi Schaefer	MAR	SAR		Y
Sherry Niven	MAR	Science		Y
Josee Annie Verville	NHQ	C&P		Y
Linda Burr	NHQ	SAR		Y
Jerry Walsh	NL	C&P		Y
Dana Yetman	NL	EM-SAR		Y
Jackie Kean	NL	RM		Y
Marcel Picard	Que	C&P		Y
Hughes Bouchard	Que	EM-SAR	By phone	Y
Antoine Rivierre	Que	RM	By phone	Y
Michel Gilbert	Que	Science		Y
Melissa Landry	NHQ	RM		Y
Jennifer Buie	NHQ	RM		Y
Francois Plante	Gulf	EM-SAR		Y
Bernard Morin	Que	RM		Y
Mike Grace	MAR	C&P		Y
Hilary Moors-Murphy	MAR	Science		Y
Jack Lawson	NL	Science		Y

Caines, Allison

From: Schaefer, Heidi
Sent: Wednesday, January 24, 2018 9:30 AM
To: Merriman, Catherine B
Subject: FW: 2018 fisheries mitigation measures-monitoring-response planning (NARW)
Attachments: NORTH ATLANTIC RIGHT WHALE Agenda Jan 30.docx; Right Whale Management Entanglement Prevention Measures-draft Dec 2017.docx

Perhaps of interest... Donald had no idea any of this was happening. NHQ SARA included, but no one in the Region.

Note they circulated Marilyn's Protocol...

-----Original Message-----

From: Humphrey, Donald
Sent: 2018-January-24 9:06 AM
To: Busby, Corina; Stewart, Julie
Cc: Schaefer, Heidi; Plante, Francois
Subject: FW: 2018 fisheries mitigation measures-monitoring-response planning (NARW)

Do you know what this meeting is about? Has a working group been formed or is this more of an ad-hoc group? I think it would be useful to have Cathy and other regional program staff participate.

Donald

From: Jenkins, Randy
Sent: January 23, 2018 6:22 PM
To: Burns, Adam; Gilchrist, Brett; LeBlanc, Carole L; Busby, Corina; Gros-Louis, Denis; Stenson, Garry; Moors-Murphy, Hilary; Berthier, Jacinta; Landry, Jean; Buie, Jennifer; Lawson, Jack; Verville, Josée Annie; Dwyer, Judy; Stewart, Julie; Burr, Linda; LeCouffe, Marc; Hardy, Matthew A (Moncton); Hammill, Mike; Sylvestri, Nicholas; Paul.Scott@tc.gc.ca; Mallet, Pierre; Niven, Sherry; Nadeau, Simon; Blanchard, Tony
Subject: 2018 fisheries mitigation measures-monitoring-response planning (NARW)

Attached is the proposed agenda for tuesday's meeting along with the draft protocol from the Maritimes Region that may help frame management action planning. As you will note, the meeting will commence with an overview of the forecasted monitoring plan(s) from science and this will help establish what is "doable" later as we work through the agenda. It is hoped that we will be able to forecast potential "hotspots" for whale-fishing interactions to enable us to focus limited resources. The ambitious objective would be to take all the various information and leave the meeting with a sense of practical triggers and appropriate management responses. Looking forward to a productive session on the 30th! We will discuss in more detail the agenda and preparedness for the meeting on our teleconference on Friday.

Thanks

Randy

Organizer: Jenkins, Randy
When: 08:30 - 16:00 January 30, 2018
Subject: 2018 fisheries mitigation measures-monitoring-response planning (NARW)
Location: 300 Laurier, Boardroom A1201

Further to the teleconference held on January 18, 2018 there will be a 1 day FACE TO FACE meeting held at the DFO offices at the L'Esplanade Building - 300 Laurier Avenue West (L'Esplanade Laurier is an office complex in downtown Ottawa located about 1.5 blocks East of our main offices at 200 Kent Street... just past the Laurier and Bank intersection) on Tuesday January 30th to further the discussion and the advancement of operational products development for the 2018 monitoring/mitigation measures/action plan triggers/responses for the NARW in active fishing areas of Atlantic Canada.

As discussed on the call today I will leave it to the Programs/Regions to determine the most appropriate person(s) to attend to contribute to the product development. Please forward to the appropriate person (if it is not yourself). Regions/programs are responsible for their own travel costs and accommodations.

Any Reference material / Documents received will be circulated prior to the meeting (and or supplied at the meeting).

Thank you.

Randy

Randy P. Jenkins

a/Senior Director - Integrated Resource Management Directeur principal intérimaire - Gestion des ressources intégrées
Ecosystems and Fisheries Management / Gestion des écosystèmes et des pêches
200 rue Kent Street, 13S026
Ottawa, Ontario, K1A 0E6

Tel/Tél.: (613) 993-1798 Fax/Télécopieur: (613) 990-7051 E-Mail / Courriel: Randy.Jenkins@dfo-mpo.gc.ca<mailto:Randy.Jenkins@dfo-mpo.gc.ca>

Sent from my BlackBerry 10 smartphone on the Rogers network.

**NORTH ATLANTIC RIGHT WHALE
MITIGATION MEASURES MEETING
OTTAWA, JANUARY 30, 2017
300 LAURIER AVE W, A1201
8:30 AM - 4 PM**

- 8:30 am** **Welcome and roundtable – FRM/Science**
- Item 1:** **2018 NARW Monitoring Plan – Science**
- **Capacity/Assets**
 - **Deployment/Surveillance Plan**
- Item 2:** **Identification of potential whale/fishing activity overlap for 2018**
- **Forage areas**
 - **Historic whale sightings/acoustic detection**
 - **Gear/fishing concentrations**
- Item 3:** **Pre-season Measures/Management Options**
- **Licence conditions (regions to bring example language of licence conditions)**
 - **Education/Communication/Briefing**
 - **Fish harvesters**
 - **Observers**
 - **Flight crews**
 - **Coast Guard**
 - **Fishery Officers**
 - **Public**
 - **Monitoring considerations**
 - **Whale detection (monitoring options)**
 - **Advance timing?**
 - **Area of coverage**
 - **Thresholds/triggers for action**
 - **Number of whales**
 - **Location (risk area)**
 - **Time of year**
 - **Transiting/feeding**
 - **Action/responses to whale presence**
 - **Delay opening**
 - **Partial opening**

- Gear reduction
- Gear tending
- Increased monitoring

Item 4: In-season Measures/Management Options

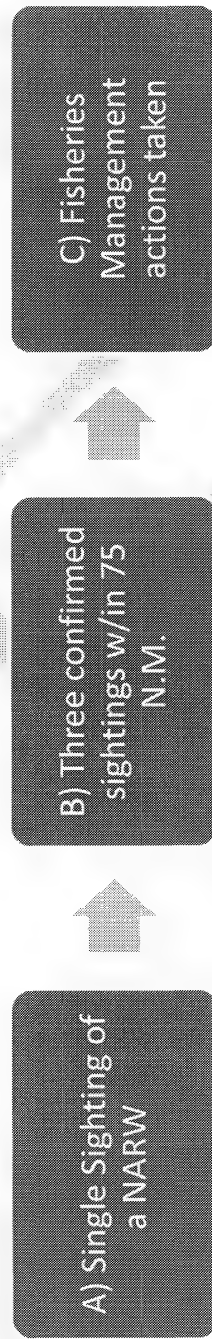
- Variation orders (partial vs full area closures)
- Communication/Notices
 - Fish harvesters
 - Coast Guard
 - Fishery Officers
 - Fisheries Managers
- Monitoring considerations
 - Whale detection (monitoring options)
 - Area of coverage
 - Planned aerial survey
 - Opportunistic sightings (air/vessel/acoustic)
 - In season directed/redirected (response action)
 - Thresholds/triggers for action
 - Number of whales
 - Location (risk area)
 - Time of year
 - Transiting/feeding
 - Action/responses to whale presence
 - Fishery closures (full/partial)
 - Gear reduction
 - Gear tending
 - Increased monitoring
 - In season lost gear retrieval

Item 5: Post season Measures/Management Options

- Gear Retrieval
- Data review
- Stakeholder engagement

Right Whale Management Entanglement Prevention Measures

When the Department is made aware of North Atlantic Right Whales migrating through active fishing areas in our region, one of three responses actions will be triggered based on the following scenarios. These scenarios will not necessarily follow the sequence as outlined below:



Scenario A: Single Sighting of a NARW

Sightings of NARWs are transmitted to DFO via xmarwhalesightings@dfo-mpo.gc.ca or call 1-844-800-8568 for inclusion in a database.

When DFO receives notice of NARWs in Maritimes waters, fishers will be made aware of these sightings through the following mechanisms:

1. **RM** Advise external contact list that whales have been located in our area (action: contact lists to be developed of Mar region fleets and associations to be alerted. Divided by 3 area office areas?)
2. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast. Notice is to be repeated for a 36h period.

Commented [MS1]: Clarity required on who sends/writes/approves. NotFish are done by RM. What about Not Ships?

Scenario B: Three Confirmed Sighting of NARW in a 75 Nautical Mile area

When there are 3 confirmed visual sightings of NARWs within 75 NM, enhanced monitoring of the presence of NARWs will commence. Confirmed sightings could be through visual observation by C&P flights or vessels, TC flights, CCG vessels, Whale Watching Groups, etc. Ideally, confirmation of detections would include visual images. If NARWs are detected acoustically, surveillance will be directed to the area if available.

This scenario will include the following steps:

1. **RM** Advise internal "core contact list" that whales have been located in our area (list included below includes a representative from RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the "core contact list" from each group will then trigger the required response for their sector as outlined below
2. **RM (MMC)**
 - a. Daily calls will be set up with the core team of representatives while whales are present
 - b. Regional /NHQ counterparts will be informed of actions and kept informed of changes
 - c. Inform partners in response organizations of possible movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
 - d. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
 - e. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that enhances surveillance will start and request support from fishers in reporting sightings.
3. **C&P**
 - a. Enhance surveillance of areas where NARWs have been sighted and relay sighting information back to the "core contact list". It should be confirmed that Science receives the sightings information and it is included in the database.
 - b. May be required to pull lost gear that is found in the water

4. Communications

- a. Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media. (Include Jaz and Debbie Buott-Matheson)

5. Science

- a. Provide input/advice to Resource Management
- b. Coordinate surveillance with C&P/TC and external partners

6. SARMD

- a. Liaise with NOAA (upon advice from NHQ)
- b. Draft NotShip

Scenario C: Fisheries Management actions discussed

When 3 or more NARWs are visually sighted in close proximity to fishing gear or moving in the direction of active fishing areas, decisive action is required to help reduce the risk of entanglements. The following steps are suggested:

1. **RM (MMC)** Advise internal "core contact list" that whales have been located in our area (list to be developed and include- RM, C&P, Science, SARMD, Comms, Oceans)
 - a. Each representative of the "core contact list" from each group will then trigger the required response for their sector as outlined below
2. **MMC** to coordinate a call with the core team of representatives:
 - a. Regional/NHQ counterparts will be informed of actions and kept informed of changes
 - b. Inform partners in response organizations of movement of RW in our region (Campobello Whale Rescue Team, Marine Animal Response Society)
 - c. **RM/C&P** to send out notice to fisheries/mariners via the Marine Broadcast of NARW presence. Notice is to be repeated for a 36h period.
 - d. Determine which fisheries are active in the area
 - i. Refer to fisheries table and share with core team
 - ii. Advisors with active fisheries will be contacted for discussion
 - iii. Contact fleet representatives and advised that measures may be taken and request support from fishers in reporting sightings

- iv. RM to begin drafting Variation Orders

3. Core Team/ Subject Matter Experts (from 2)

The following questions will need to be discussed with relation to the specifics of the situation:

- a. What fisheries are active in the area where whales are present?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in what area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types.
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, when is it considered "safe" to reopen the fisheries? Is there a length of time without sightings that should be considered?

4. Following discussions and when deemed appropriate, Variation Orders will be issued to close implicated fisheries.

RM to advise implicated fleets of impending closures

- a. RM advisors to contact their respective fleet representatives and advise of the situation
- b. Set up daily meetings with core team to update on the situation and monitor the movement of whales in Maritimes' waters
- c. Update closure plans as required

5. C&P

- a. Variation Orders for closures (if required) are prepared with RM
- b. Request increased surveillance in areas impacted by management measures
- c. C&P may be required to pull gear that is left in the water if fisheries are requested to remove.
 - i. What is done to licence holders that do not comply with the VO to remove gear?

6. Communications

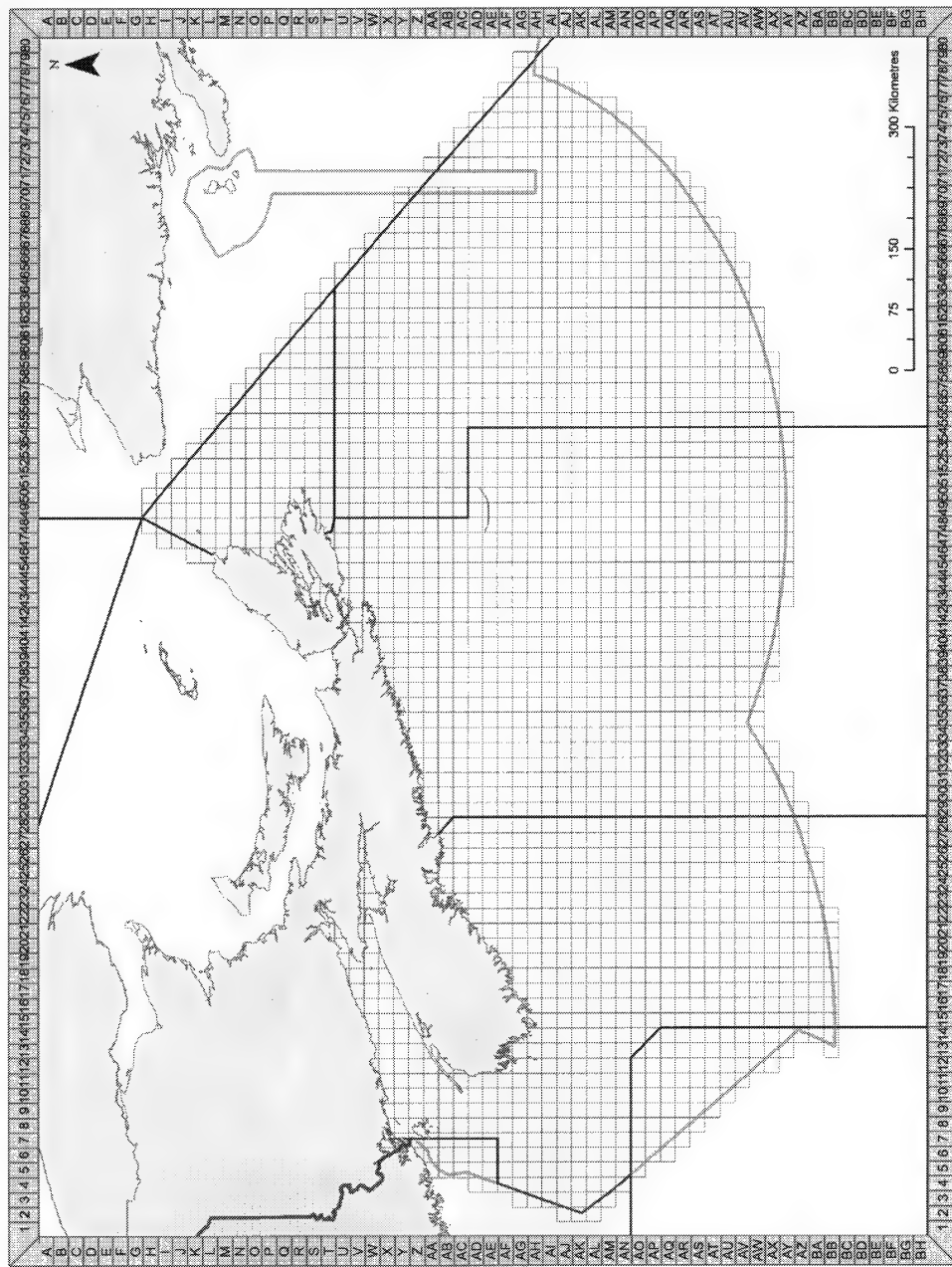
- a. Communications to advise media of the Department's approach to minimizing risk of interaction with fisheries and relaying possible closure information.
- b. Post information on social media (variation orders, closure information, etc).
- c. Outreach to media networks through email and phone

7. Science

- a. Assess if whales are likely transiting through/foraging/mating, based on past studies
- b. Assist in predictive modeling of where whale may move (based on past years, foraging grounds, etc)
- c. Provide input on depths to be considered for closures

8. SARMD

- a. Liaise with NOAA (upon advice from NHQ)
- b. Draft Notship



Annex A: Contact lists

External Contact List:
To be created

Core Contact List:
Managed by Marilyn Sweet, RMI



Core Contact List
-NARW.msg

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: January-29-18 11:38 AM
To: Anderson, Kevin; Buie, Jennifer; Burns, Adam; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Vézina, Alain; Vincent, Patrick; Wentzell, Doug; Williams, Wendy; Winfield, Nicholas; Humphrey, Donald
Cc: Valkenier, Mary-Ellen; Daley, Annette; Butler, Annette; Neary, Lynn; Saulnier-Cyr, Debbie; Hébert, Linda M; Rossignol, Pauline; Couturier-Dubé, Geneviève; Bois, Lucie
Subject: Materials: ASC for NARW Jan 31 / Matériels : CDA pour BNAN le 31 janvier
Attachments: 1a (EN) - Agenda - ASC for NARW Jan 31 2018.docx; 1a (FR) - Ordre de jour - CDA BNAN le 31 janv 2018.docx; 1b (EN) - RoD - ASC for NARW Jan 17 2018.docx; 1b (FR) - CR - CDA BNAN le 17 janv 2018.docx; Ref (EN) Terms of Reference - ASC for NARW - Final (Jan 2018).docx; Ref (FR) Cadre de Reference - CDA for BNAN - finale (janv 2018).docx

(La version française suit.)

For the meeting of the Atlantic Steering Committee for North Atlantic Right Whale (NARW) on January 31st, attached is a revised Agenda and the Record of Discussion from the meeting on January 17th. Last week, we had distributed an inventory of groups working on NARW. This will now be discussed at the meeting on February 14th.

For your records, the final version of the committee's Terms of Reference is also attached.

For your information, this is a link to the [news release](#) about Minister LeBlanc's announcement of new protections for NARW in January 2018. This website includes a link to the [What We Heard report](#) which provides an overview of the key issues discussed at the Minister's Roundtable in November 2017.

Please advise if you have any questions related to this meeting. Thank you.

Pour la réunion du Comité directeur de l'Atlantique pour la baleine noir de l'Atlantique Nord (BNAN) le 31 janvier, vous trouverez ci-joint un ordre de jour révisé et le compte rendu de la discussion de la réunion le 17 janvier. La semaine passée, nous avons distribué un inventaire des groupes s'occupant de la BNAN. Il sera maintenant discuté à la réunion le 14 février.

Pour vos dossiers, vous trouverez aussi en pièce jointe la version finale du cadre de référence du Comité.

Pour votre information, voici un lien du [communiqué de presse](#) sur l'annonce du Ministre LeBlanc en janvier 2018 concernant des nouvelles protections pour BNAN. Ce site web inclut un lien pour voir le rapport [Ce que nous avons entendu](#) qui donne un aperçu des principales idées abordées lors de la table ronde du ministre en novembre 2017.

N'hésitez pas à communiquer avec moi pour toute question liées à cette réunion. Merci.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.



Agenda

Atlantic Steering Committee for the North Atlantic Right Whale (NARW)

January 31, 2018, 11:00 am – 12:30 pm AST

Teleconference: 1-877-413-4781 Code: [REDACTED]

Ron Trites Boardroom, 4th floor, Polaris Building, BIO

	TIME	TOPIC	PRESENTER
1	11:00 – 11:10	Welcome and Introductions Review of Record of Discussion from the meeting on January 17, 2018	Mary-Ellen Valkenier, Regional Director General, Maritimes Region Sheila Prall Dillman, Senior Policy Advisor (Secretariat)
2	11:10 – 11:25	Fisheries Interactions <ul style="list-style-type: none">Update on the presentation from Fisheries Resource Management to the Fisheries Management Oversight Committee with a gap analysis and options to mitigate risks to NARW from fisheries in Atlantic Canada, and next steps	Adam Burns, Director General, Fisheries Resource Management, NHQ Doug Wentzell, Regional Director, Fisheries Management, Maritimes Region Frank Quinn, Regional Director, Fisheries and Aquaculture Management, Gulf Region
3	11:25 – 11:40	Vessel Interactions <ul style="list-style-type: none">Update on the federal response to the shipping industry regarding options to mitigate risks to the NARW from the shipping industry in the Gulf of St. Lawrence and other areas, and next stepsFor discussion: the extent of management measures for vessels outside the current slow-down zone in the Gulf of St-Lawrence	Patrick Vincent, Regional Director General, Quebec Region Ellen Burack, Director General, Environmental Policy, Transport Canada Julien Gaudet, CCG Marine Communications Traffic Services, Superintendent
4	11:40 – 11:55	Research, Risk Assessment and Monitoring <ul style="list-style-type: none">Update on DFO's and Transport Canada's surveillance plans to support proposed management measures for the spring of 2018Update on the Canadian Science Advisory Secretariat's review of requests for advice	Louise Laverdure, A/Director General, Ecosystem Science Jean Landry, Director, Fish Population Science Alain Vézina, Regional Director, Science, Maritimes Region
5	11:55 – 12:10	In-season Decision-making Processes <ul style="list-style-type: none">For discussion: once triggers for certain management measures are established to mitigate risks related to fishing and shipping, who will analyze the scientific information, provide recommendations and make decisions during the season?	Patrick Vincent, Regional Director General, Quebec Region
6	12:10 – 12:20	Marine Mammal Response <ul style="list-style-type: none">Update on the DFO's response to Transport Canada's investigative report and next stepsUpdate on DFO's meeting with the Canadian Marine Animal Response Alliance	Serge Doucet, Regional Director General, Gulf Region Adam Burns, Director General, Fisheries Resource Management, NHQ Darren Goetze, Director General, Conservation & Protection, NHQ



7	12:20 – 12:30	<p>Other Updates</p> <ul style="list-style-type: none">• Update on the Minister's press event on NARW in Moncton• Update on Action Plans for recovery of the NARW under the <i>Species at Risk Act</i>	<p>Serge Doucet, Regional Director General, Gulf Region</p> <p>Julie Stewart, Director, Integrated Species at Risk, NHQ</p>
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Forward Agenda - February 14, 2018:

- Update on the development on zonal protocols following the meeting with the Marine Mammal Coordinators and others on February 2, 2018
- Update on the release of the "What We Heard" report from the Let's Talk Whales public engagement sessions, which is expected in early to mid-February
- For discussion : Inventory of Groups Working on NARW - whether or not the Atlantic Steering Committee is making linkages, as appropriate, with external groups working on NARW recovery and threat mitigation issues
- Update on the Coast Guard's operational plans for ice breakers to open fishing ports



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee for the North Atlantic Right Whale (NARW)
Meeting on January 17, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Associate Regional Director General (Chair)
Alain Vézina	Regional Director, Science
Wendy Williams	A/Regional Director, Ecosystems Management
Donald Humphrey	Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Serge Doucet	Regional Director General
Jackey Richard	Associate Regional Director General
Frank Quinn	Regional Director, Fisheries and Aquaculture Management
DFO Quebec Region	
Patrick Vincent	Regional Director General
DFO Newfoundland and Labrador Region	
Lily Abbass	Associate Regional Director General
DFO National Headquarters	
Louise Laverdure	A/Director General, Ecosystem Science
Jean Landry	Director, Fish Population Science
Randy Jenkins	A/Senior Director, Integrated Resource Management, Fisheries Resource Management
Brett Gilchrist	International Fisheries Officer
Jennifer Buie	Resource Management – Atlantic
Josée Annie Verville	Chief, Enforcement Policy and Standards, Conservation & Protection
Julie Stewart	Director, Integrated Species at Risk
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies

	TOPIC	LEAD
1.	Welcome and Introductions Review of Action Items and Terms of Reference	Annette Daley Sheila Prall Dillman
	Highlights: <ul style="list-style-type: none"> Sheila Prall Dillman reviewed the action items in the draft Record of Discussion from the Atlantic Steering Committee's meeting on January 3, 2018, mainly to refresh everyone on the discussion as most 	



	<p>of the items would be discussed further at this meeting. The changes discussed at the last meeting for the committee's draft Terms of Reference were also briefly reviewed.</p> <ul style="list-style-type: none">It was noted that the Terms of Reference only lists the members who are Steering Committee representatives. It will be amended to include the other members as well. <p>For Action:</p> <ul style="list-style-type: none">The committee was asked to provide any additional edits to the draft Record of Discussion by January 18, 2018, and to the draft Terms of Reference by January 19, 2018. The documents will then be considered final although the Terms of Reference can be adjusted as required.For the Terms of Reference, Jennifer Buie was asked to confirm if she is the lead for coordinating DFO's activities with the United States on all matters related to the NARW or only in relation to fisheries management.The Atlantic Steering Committee's linkages to other groups currently working on the NARW, including international groups, will be discussed at the next meeting.	
2.	Research, Risk Assessment and Monitoring	Louise Laverdure Jean Landry Alain Vezina
	<p>Highlights:</p> <ul style="list-style-type: none">Jean Landry provided an update on Science's surveillance plan for 2018. Before the holidays Science had developed a number of options for aerial surveillance. As contracts can take months to finalize, Science has begun the process to contract a Twin Otter airplane to monitor whales in the Gulf of St. Lawrence. Science is also working to confirm contributions to aerial surveillance from others including Transport Canada and the National Oceanic and Atmospheric Administration (NOAA). Over the next few weeks the surveillance plan will be reviewed in detail to consider the various management plans being proposed.The Canadian Science Advisory Secretariat (CSAS) recently posted on its website the <i>Science Advice on Timing of the Mandatory Slow-Down Zone for Shipping Traffic in the Gulf of St. Lawrence to Protect the North Atlantic Right Whale</i> (link to report: Science Response 2017/042).CSAS will be meeting next week to review all requests for formal science advice. This is expected to include a more comprehensive risk assessment related to the presence of NARW that will include data for 2018. This may be completed in the fall of 2018 to inform management measures for 2019.Partly due to the short timeline, Science does not anticipate providing further formal advice specifically on NARW before the spring of 2018. However, Science is providing informal advice, assisting in analyzing pros and cons, and providing high level, qualitative risk assessments in relation to various management measures through the Vessel Interactions group, which includes Transport Canada, and the Fisheries Interaction group. This approach seems to be working well and the importance of involving Science in management discussions was emphasized.	
3.	Fisheries Interactions	Frank Quinn Randy Jenkins
	<p>Highlights:</p> <ul style="list-style-type: none">Frank Quinn provided an update that Fisheries Resource Management in Ottawa is considering if protocols to trigger fisheries closures and mitigation measures could be applied across regions. They are also analyzing the overlap between fisheries locations and whale sightings to help guide surveillance plans.Randy Jenkins provided an update that Adam Burns had a preliminary conference call with Fisheries Management in the Atlantic regions on January 15th and will have a follow-up call on January 18th. These discussions cover, for example, what monitoring could be put in place, what measures will be taken when the whales arrive, and what licence conditions could be used. They will also take an inventory of what the regions are doing so they can ensure everyone is on the same page for a coherent	



way forward. Science and Transport Canada have been invited to participate in these discussions.

- Next week, Fisheries Resource Management will present a gap analysis and options for moving forward to the Fisheries Management Oversight Committee (FMOC). In the following week, Fisheries Resource Management will hold a face-to-face meeting to discuss what can be achieved for April 2018 and beyond. These meetings are partly to solidify the initial feasibility analysis of mitigation measures that began at the management planning meeting on December 11-12, 2017.
- Julie Stewart offered to have an expert in the *Species at Risk Act* attend the FMOC meeting if it would be helpful.

For Action:

- Patrick Vincent emphasized the need for coherence between the Vessel Interactions and Fisheries Interactions groups on triggers to escalate management measures. It is helpful that Science is involved in both groups. He suggested a decision chart be developed for both groups to clarify what will trigger certain management actions, how information will flow and who will make decisions. He also suggested a smaller committee be identified to make decisions during the season to avoid the possibility of conference calls with multiple decision-makers.

4.

Vessel Interactions

Patrick Vincent

Highlights:

- Patrick Vincent provided an update that a large group of DFO, CCG and Transport Canada participants met in Ottawa on January 10, 2018, to review options for management measures with the shipping industry in 2018. They focused mainly on the options presented by Transport Canada, and also considered the industry's proposal. A table with considerations related to three options was developed and provided to the Deputy Minister's and Minister's offices. (See the draft table distributed to the committee on January 17, 2017, which is for internal use only.)
- Patrick Vincent provided an overview of the options. The first option is the status quo, in maintaining or adjusting the 2017 slowdown zone. The slowdown would be implemented in April and removed at the end of December. The specific location and dates would be based on science advice.
- The second option would involve dynamic management of speed in the shipping lanes. The lanes would be divided into three zones. If at least one whale were sighted in a zone, it would be subject to a slowdown for two weeks, which could be extended if there were further sightings. This option is dependent on aerial surveillance.
- The third option involved a combination of static and dynamic zones in the Gulf of St. Lawrence.

After discussion with Ottawa, it was decided that the departments will return to industry with options that are efficient to monitor and to communicate.

- Transport Canada has asked for a risk assessment in relation to the options.

For Action:

- DFO and Transport Canada will prepare a document for the shipping industry and other stakeholders about proposed management options, possibly by the end of January.
- It was noted that the measures adopted for the Gulf of St. Lawrence should be consistent with those in other areas. However, different measures are already in place in certain areas such as the shipping lane in the Bay of Fundy and the voluntary area to be avoided in the Roseway Basin. It was suggested that a decision chart be developed to illustrate what would trigger escalating management measures and who would make decisions in relation to whale sightings in different shipping areas.



5.	Marine Mammal Response	Serge Doucet Randy Jenkins Brett Gilchrist
	<p>Highlights:</p> <ul style="list-style-type: none">• Serge Doucet and Adam Burns are organizing a meeting with the marine mammal coordinators and others in Montreal on February 2, 2018.• Brett Gilchrist has been in discussions with the Canadian Marine Animal Response Alliance (CMARA) about projects that could possibly be funded through the Coastal Restoration Fund or otherwise over the next few years. These discussions will continue next week at a meeting organized by CMARA in Halifax and at a jointly led meeting planned for late March in Ottawa, with the aim of developing a DFO-CMARA plan for projects for next fiscal year. Regional offices will be invited to the meeting in Ottawa.• DFO's response to Transport Canada's report on the investigation into Joseph Howlett's death is going through final internal reviews. It is expected that Transport Canada will make the report and the response available to the public.	
6.	Next Meeting and Next Steps	
	<p>Next meeting:</p> <ul style="list-style-type: none">• The next bi-weekly meeting of the Atlantic Steering Committee will be January 31, 2018.• At the next meeting, the Atlantic Steering Committee's linkages to other groups currently working on NARW, including external groups and international groups, will be discussed to ensure that all appropriate linkages are being made. An inventory of the groups working on threat mitigation and recovery of NARW will be distributed to the committee beforehand to ensure that everyone is aware of the various groups and maintaining linkages as appropriate with stakeholders, other departments and international groups.• At the next meeting, Julie Stewart will provide an update on the draft Action Plans for NARW under the <i>Species at Risk Act</i>. The Action Plan for Fishery Interactions was completed in 2017 and will possibly be accompanied by an interim progress report on the Recovery Strategy. It was confirmed that the Vessel Interactions group would be included in the review process for the Action Plan for Other Threats as it relates in part to threats involving the shipping industry. Once the plan is finalized within DFO, it will also be shared with Transport Canada for comment. <p>Next steps:</p> <ul style="list-style-type: none">• Some key points from this meeting will be provided to Sylvie LaPointe for her situational report on whales for the Deputy Minister, which is now bi-weekly.• The Minister will release a "What We Heard" report from his Roundtable in Moncton on November 9, 2017, at a media event next week (tentatively set for January 24th or 25th). His statements may cover the report from the Roundtable, Transport Canada's investigative report and potential conditions for the snow crab fishery next season. As the shipping industry was also involved in the Roundtable, Patrick Vincent asked to receive a copy of the report and media lines for possible discussion with the shipping industry. Serge Doucet will share these with him and this committee once he receives them.• Julie Stewart will follow-up on the "What We Heard" report on the Let's Talk Whales public engagement sessions. This report is expected to be posted online soon and it was suggested that public messages be coordinated with the Minister's press event. (Julie Stewart subsequently confirmed that the report is expected to be posted a week or two after the Minister's press event.)	



Pêches et Océans Canada (MPO)
Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord
Réunion du 17 janvier 2018
Compte rendu des discussions

Présents	
Nom	Titre
Région des Maritimes du MPO	
Annette Daley	Directrice générale régionale associée par intérim (présidente)
Alain Vézina	Directeur régional, Sciences
Wendy Williams	Directrice régionale par intérim, Gestion des écosystèmes
Donald Humphrey	Gestionnaire, Division de la gestion des espèces en péril
Sheila Prall Dillman	Conseillère principale en politiques (secrétariat)
Région du Golfe du MPO	
Serge Doucet	Directeur général régional
Jackey Richard	Directrice générale régionale associée
Frank Quinn	Directeur régional, Gestion des pêches et de l'aquaculture
Région du Québec du MPO	
Patrick Vincent	Directeur général régional
Région de Terre-Neuve-et-Labrador du MPO	
Lily Abbass	Directrice générale régionale associée
Administration centrale nationale du MPO	
Louise Laverdure	Directrice générale par intérim, Sciences des écosystèmes
Jean Landry	Directeur, Sciences des populations de poissons
Randy Jenkins	Directeur principal par intérim, Gestion intégrée des ressources, Gestion des ressources halieutiques
Brett Gilchrist	Agent des pêches international
Jennifer Buie	Gestion des ressources – Atlantique
Josée Annie Verville	Chef, politique et normes pour la mise en application, Conservation et Protection
Julie Stewart	Directrice, Division intégrée des espèces en péril
Transports Canada	
Paul Scott	Conseiller spécial, Stratégies des navires sur la côte Est

	SUJET	RESPONSABLE
1.	Mot de bienvenue et présentations Examen des points de suivi et du cadre de référence	Annette Daley Sheila Prall Dillman
	Points saillants <ul style="list-style-type: none"> Sheila Prall Dillman passe en revue les points de suivi qui sont énoncés dans l'ébauche de compte rendu 	



	<p>des discussions qui se sont tenues lors de la réunion du Comité directeur de l'Atlantique le 3 janvier 2018, principalement pour rafraîchir la mémoire des participants au sujet de la discussion, car la plupart des points seront traités de façon plus poussée lors de cette réunion. Les modifications apportées à l'ébauche de cadre de référence du comité qui ont fait l'objet de discussions au cours de la dernière réunion sont également brièvement passées en revue.</p> <ul style="list-style-type: none">On fait remarquer que le cadre de référence n'énumère que les membres qui sont des représentants du comité directeur. La liste sera modifiée pour que l'on puisse inclure également les autres membres. <p>Mesures à prendre</p> <ul style="list-style-type: none">On demande au comité de fournir des versions supplémentaires de l'ébauche de compte rendu des discussions d'ici le 18 janvier 2018, et de l'ébauche de cadre de référence d'ici le 19 janvier 2018. Les documents seront ensuite considérés comme étant définitifs, bien que le cadre de référence puisse être rajusté au besoin.En ce qui concerne le cadre de référence, on demande à Jennifer Buie de confirmer si elle est responsable de la coordination des activités du MPO avec les États-Unis sur tous les sujets qui concernent la baleine noire de l'Atlantique Nord ou qui sont seulement liés à la gestion des pêches.Les liens entre le Comité directeur de l'Atlantique et d'autres groupes travaillant actuellement sur la baleine noire de l'Atlantique Nord, y compris des groupes internationaux, feront l'objet de discussions au cours de la prochaine réunion.	
2.	Recherche, évaluation des risques et surveillance	Louise Laverdure Jean Landry Alain Vézina
	<p>Points saillants</p> <ul style="list-style-type: none">Jean Landry fait le point sur le plan de surveillance établi par le Secteur des sciences pour 2018. Avant les vacances, le Secteur des sciences a élaboré un certain nombre d'options pour la surveillance aérienne. Comme il faut attendre des mois pour que les contrats soient parachevés, le Secteur des sciences a entamé le processus d'octroi d'un contrat consistant à effectuer une surveillance des baleines dans le golfe du Saint-Laurent par aéronef CC138. Le Secteur des sciences travaille également à confirmer les contributions d'autres parties à la surveillance aérienne, y compris Transports Canada et la National Oceanic and Atmospheric Administration (NOAA). Au cours des quelques prochaines semaines, on examinera de façon détaillée le plan de surveillance pour étudier les différents plans de gestion proposés.Le Secrétariat canadien de consultation scientifique (SCCS) a récemment diffusé sur son site Web <i>l'Avis scientifique sur le calendrier relatif à la zone de ralentissement obligatoire pour la navigation dans le golfe du Saint-Laurent visant à protéger la baleine noire de l'Atlantique Nord</i> (lien vers le rapport (Réponse des Sciences 2017/042)).Le SCCS se réunira la semaine prochaine pour passer en revue toutes les demandes d'avis scientifiques officiels. On s'attend à ce que ce processus comprenne une évaluation plus complète des risques liés à la présence de la baleine noire de l'Atlantique Nord, laquelle évaluation inclura les données recueillies en 2018. Ce processus pourrait être achevé à l'automne 2018 et étayer les mesures de gestion qui seront prises en 2019.En partie en raison des délais serrés, le Secteur des sciences ne prévoit pas fournir d'avis scientifique officiel plus approfondi portant tout particulièrement sur la baleine noire de l'Atlantique Nord avant le printemps 2018. Cependant, le Secteur des sciences fournit des avis officieux qui facilitent l'analyse des pour et des contre et qui permettent de mener des évaluations qualitatives de haut niveau des risques, en lien avec différentes mesures de gestion qui sont prises par le groupe des interactions avec des navires, y compris Transports Canada, et le groupe des interactions avec les pêches. Cette démarche semble être efficace, et l'on met l'accent sur l'importance qu'il y a à faire participer le Secteur des sciences aux discussions concernant la gestion.	



3.	Interactions avec les pêches	Frank Quinn Randy Jenkins
	<p>Points saillants</p> <ul style="list-style-type: none">• Frank Quinn énonce que le personnel de Gestion des ressources halieutiques, à Ottawa, examine si les protocoles permettant de déclencher des fermetures de pêches et des mesures d'atténuation pourraient être appliqués dans les régions. Le personnel de Gestion des ressources halieutiques analyse également les chevauchements entre les lieux de pêche et les zones où l'on signale des baleines en vue de contribuer à orienter des plans de surveillance.• Randy Jenkins fait part de ce que Adam Burns a tenu, le 15 janvier, une conférence téléphonique préliminaire avec le personnel de Gestion des pêches dans la région de l'Atlantique, et indique qu'une conférence de suivi se tiendra le 18 janvier. Ces discussions couvrent, par exemple, la nature de la surveillance qui pourrait être mise en place, la nature des mesures qui seront prises lorsque les baleines seront présentes, et quelles conditions de permis pourraient être utilisées. Elles permettront également de dresser un inventaire de ce que font les régions pour s'assurer que chacun en soit au même point en vue d'une progression vers l'avant cohérente. Le Secteur des sciences et Transports Canada ont été invités à participer à ces discussions.• La semaine prochaine, un représentant de Gestion des ressources halieutiques présentera une analyse des lacunes et des options à l'intention du comité chargé de la supervision de la gestion des pêches pour que nous puissions aller de l'avant. Au cours de la semaine suivante, représentants de Gestion des ressources halieutiques tiendront une réunion en personne pour discuter de ce que nous pouvons atteindre en avril 2018 et au-delà. Ces réunions permettront, en partie, de consolider l'analyse initiale de faisabilité des mesures d'atténuation qui ont commencé à être adoptées durant la réunion de planification de la gestion qui s'est tenue les 11 et 12 décembre 2017.• Julie Stewart offre de trouver un expert de la <i>Loi sur les espèces en péril</i> susceptible de participer à la réunion du comité chargé de la supervision de la gestion des pêches, si cela peut être utile. <p>Mesures à prendre</p> <ul style="list-style-type: none">• Patrick Vincent met l'accent sur la nécessité d'obtenir une cohérence entre le groupe des interactions avec des navires et le groupe des interactions avec les pêches à propos des éléments déclencheurs afin d'améliorer les mesures de gestion. Il est utile que le Secteur des sciences soit représenté au sein de ces deux groupes. Il propose que l'on élabore un tableau décisionnel pour les deux groupes afin de clarifier ce qui déclenchera certaines mesures de gestion, comment l'information circulera et qui prendra les décisions. Il propose également que l'on crée un comité plus restreint qui sera chargé de prendre des décisions durant la saison, de sorte que l'on puisse éviter la possibilité de tenir des conférences téléphoniques avec plusieurs décideurs.	



s.21(1)(b)

4.	Interactions avec des navires	Patrick Vincent
	<p>Points saillants</p> <ul style="list-style-type: none">• Patrick Vincent mentionne qu'un groupe important composé de représentants du MPO, de la GCC et de Transports Canada s'est réuni à Ottawa le 10 janvier 2018 pour examiner des options de mesures de gestion qui pourraient être prises en 2018 avec l'industrie du transport maritime. Ces représentants ont principalement mis l'accent sur les options présentées par Transports Canada, et ont également pris en considération la proposition émanant de l'industrie. On a élaboré un tableau comportant les considérations afférentes à trois options, lequel a été transmis aux bureaux du sous-ministre et du ministre (voir l'ébauche de tableau qui a été distribuée aux membres du comité le 17 janvier 2017 et qui est à usage interne uniquement).• Patrick Vincent donne un aperçu des options. La première option est le <i>statu quo</i>, qui correspond au maintien ou à l'ajustement de la zone de ralentissement définie en 2017. La zone de ralentissement devrait être mise en œuvre en avril et supprimée à la fin du mois de décembre. L'emplacement particulier de la zone et les dates seront déterminés par un avis scientifique.• La deuxième option reposerait sur la gestion dynamique de la vitesse des navires dans les routes maritimes. Ces routes devraient être divisées en trois zones. Si une baleine au moins est signalée dans une zone, celle-ci fera l'objet d'une mesure de ralentissement durant trois semaines, un laps de temps qui pourrait être prolongé si l'on enregistre d'autres signalements. Cette option dépend de la surveillance aérienne.• La troisième option reposerait sur une combinaison de zones statiques et dynamiques dans le golfe du Saint-Laurent. <p>Après des discussions avec Ottawa, on a décidé que les ministères présenteront à l'industrie des options qu'il est possible de surveiller et de communiquer efficacement.</p> <ul style="list-style-type: none">• Transports Canada demande que l'on effectue une évaluation des risques en relation avec ces options. <p>Mesures à prendre</p> <ul style="list-style-type: none">• Le MPO et Transports Canada prépareront un document à l'intention de l'industrie du transport maritime et d'autres intervenants à propos des options de gestion proposées, possiblement d'ici la fin du mois de janvier.• On fait remarquer que les mesures adoptées pour le golfe du Saint-Laurent devraient être harmonisées avec celles prises dans d'autres zones. Cependant, différentes mesures sont déjà en place dans certaines zones, comme la route maritime établie dans la baie de Fundy et les zones à éviter volontairement dans le bassin Roseway. On propose d'élaborer un tableau décisionnel pour illustrer ce qui pourrait déclencher la prise de mesures de gestion de plus en plus efficaces, de même que les personnes qui prendront des décisions en relation avec les signalements de baleines dans différentes zones de transport maritime.	



5.	Intervention auprès de mammifères marins	Serge Doucet Randy Jenkins Brett Gilchrist
	<p>Points saillants</p> <ul style="list-style-type: none">• Serge Doucet et Adam Burns organisent une réunion avec les coordonnateurs chargés des mammifères marins et d'autres intervenants, laquelle se tiendra à Montréal le 2 février 2018.• Brett Gilchrist a tenu des discussions avec l'Alliance canadienne des réseaux d'urgences pour les mammifères marins (ACRUMM) à propos de projets qui seraient susceptibles d'être financés par l'entremise du Fonds de restauration des côtes ou d'autres instances au cours des quelques prochaines années. Ces discussions se poursuivront la semaine prochaine durant une réunion organisée par l'ACRUMM à Halifax et une réunion tenue de façon conjointe qui est prévue pour la fin du mois de mars à Ottawa, dans le but d'élaborer un plan conjoint du MPO et de l'ACRUMM pour la réalisation de projets durant le prochain exercice financier. Les bureaux régionaux seront invités à participer à la réunion qui se tiendra à Ottawa.• La réponse du MPO au rapport présenté par Transports Canada au sujet de l'enquête sur la mort de Joseph Howlett s'approche des examens internes définitifs. On s'attend à ce que Transports Canada rende le rapport et la réponse disponibles au public.	
6.	Prochaine réunion et prochaines étapes	
	<p>Prochaine réunion :</p> <ul style="list-style-type: none">• La prochaine réunion bihebdomadaire du Comité directeur de l'Atlantique aura lieu le 31 janvier 2018.• Au cours de cette réunion, les liens entre le Comité directeur de l'Atlantique et d'autres groupes travaillant actuellement sur la baleine noire de l'Atlantique Nord, y compris des groupes externes et internationaux, feront l'objet de discussions pour que l'on puisse s'assurer que tous les liens pertinents ont été faits. On distribuera au préalable aux membres du comité un inventaire des groupes participant à l'atténuation des menaces qui pèsent sur la baleine noire de l'Atlantique Nord et au rétablissement de cette espèce, pour faire en sorte que tous les participants connaissent les différents groupes et maintiennent des liens, tel que requis, avec des intervenants, d'autres ministères et des groupes internationaux.• Au cours de la prochaine réunion, Julie Stewart fera le point sur les plans d'action provisoires concernant la baleine noire de l'Atlantique Nord, lesquels sont élaborés en vertu de la <i>Loi sur les espèces en péril</i>. Le plan d'action concernant les interactions avec les pêches a été achevé en 2017 et s'accompagnera vraisemblablement d'un rapport sur les progrès enregistrés dans le cadre du programme de rétablissement. On confirme que le groupe chargé des interactions avec des navires sera représenté pour le processus d'examen du plan d'action et des autres menaces, car il est lié en partie à des menaces causées par l'industrie du transport maritime. Une fois que le plan sera parachevé par le MPO, il sera transmis à Transports Canada, qui formulera des commentaires. <p>Prochaines étapes :</p> <ul style="list-style-type: none">• Certains des principaux points traités durant la réunion seront transmis à Sylvie LaPointe qui les intégrera dans son rapport de situation concernant les baleines, lequel sera présenté au sous-ministre et qui est maintenant bimensuel.• Le ministre diffusera un rapport sur « ce que nous avons entendu », lequel émanera de la table ronde qu'il a tenue à Moncton le 9 novembre 2017, et un point auprès des médias qui se tiendra la semaine prochaine (que l'on tente de prévoir pour le 24 ou le 25 janvier). Ses énoncés pourraient couvrir le rapport émanant de la table ronde, le rapport d'enquête de Transports Canada et les conditions possibles dans lesquelles sera pratiquée la pêche au crabe des neiges au cours de la saison prochaine. Comme l'industrie du transport maritime sera également représentée sur la table ronde, on a demandé à Patrick Vincent de recevoir un exemplaire du rapport et des infocapsules aux fins d'une discussion	



possible avec des représentants de l'industrie du transport maritime. Serge Doucet partagera ces documents avec lui et avec le comité une fois qu'il les aura reçus.

- Julie Stewart se chargera du suivi du rapport sur « ce que nous avons entendu » durant les séances de mobilisation du public « Parlons des baleines ». Ce rapport devrait être bientôt diffusé en ligne, et on propose que les messages à l'intention du public soient coordonnés avec le point auprès des médias. (Julie Stewart confirme par la suite que le rapport devrait être publié une ou deux semaines après le point auprès des médias effectué par le ministre).

Atlantic Steering Committee for the North Atlantic Right Whale

Terms of Reference

INTRODUCTION

Fisheries and Oceans Canada (DFO) has established an integrated governance strategy to facilitate a coordinated approach to the management of North Atlantic Right Whale (NARW), Southern Resident Killer Whale and the St. Lawrence Estuary Beluga. Currently, there are a number of sectors and directorates who have involvement in aspects of the whale files at both the regional and national levels. There are also other federal departments in Canada, the government of the United States, various academic and non-governmental organizations, and international bodies with significant roles in various aspects of the whale file.

Reporting to the National Interdepartmental Senior Executive Steering Committee on Whales, the Atlantic Steering Committee for the NARW will provide oversight to the development and coordination of measures to prevent mortality and to reduce harm to the NARW across Atlantic Canada.

PURPOSE

There is a need for immediate management intervention to reduce human-induced mortalities of NARW in Canada by addressing threats from vessel strikes and fishing gear. The Atlantic Steering Committee will provide coordination, advice and recommendations for the National Steering Committee to ensure that effective measures are in place for the spring of 2018 and beyond related to:

- **Research, Risk Assessment and Monitoring:** including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance
- **Threat Mitigation (Fishery Interaction and Vessel Interaction):** including technology development and innovation relating to gear, detection, threat/contact avoidance
- **Marine Mammal and Incident Response:** including the development of zonal protocols

SCOPE

The Atlantic Steering Committee will focus on the NARW throughout its range in Canadian waters, including the Grand Manan Basin (Bay of Fundy), Roseway Basin (southwestern Nova Scotia), the Gulf of St. Lawrence and the western coast of Newfoundland and Labrador. It will also consider potential impacts and benefits of proposed measures to other species, particularly other protected marine mammals.

MEMBERSHIP

The Atlantic Steering Committee is chaired by the Regional Director General, Maritimes Region. Each member is responsible for coordinating the identification and development of recommendations for a key target area of work and for representing that area of work at the committee. The Atlantic Steering Committee representatives associated with the key areas are as follows:

Research, Risk Assessment and Monitoring

- Director General, Ecosystems Science, National Headquarters
- Director, Fish Population Science, National Headquarters
- Regional Director, Science, Maritimes Region

Fishery Interaction

- Regional Director, Fisheries Management, Maritimes Region
- Regional Director, Fisheries and Aquaculture Management, Gulf Region

Vessel Interaction

- Regional Director General, Quebec Region
- Director General, Environmental Policy, Transport Canada
- Superintendent, Marine Communications and Traffic Services, Canadian Coast Guard

Marine Mammal Response

- Regional Director General, Gulf Region
- Director General, Fisheries Resource Management
- Director General, Conservation & Protection

Recovery

- Director General, Ecosystem Management, National Headquarters
- Regional Director, Ecosystems Management, Maritimes Region

The Regional Director General, Newfoundland and Labrador Region, also participates to support each of the areas of responsibility in ensuring that zonal management plans and protocols for NARW are applied across Atlantic Canada.

The Director General, Fisheries Resource Management, also participates to make connections with the National Steering Committee and the other regional committees for protected whales.

The national Manager, Resource Management – Atlantic, co-chairs the Canada-United States Working Group on NARW, and is the lead for coordinating DFO's activities with the United States on NARW.

Alternates:

If the Chair is unable to attend, she will identify an alternate chair among the Atlantic Steering Committee representatives prior to the meeting.

If a committee representative is unable to attend, he/she will identify a suitable alternate and inform the secretariat prior to the meeting. If both representatives for a key task have identified alternates for a meeting, discussion of that task may be deferred to the following meeting at the discretion of the Chair.

Guests and Observers:

Other participants may be invited to attend on an *ad hoc* basis and observers may attend meetings at the discretion of the Atlantic Steering Committee representatives.

WORKING GROUPS

The Atlantic Steering Committee representatives are responsible for overseeing zonal (i.e., Atlantic wide) approaches and, where appropriate, working groups to develop, recommend and implement science and management work plans for their respective key tasks. Regional working groups may also be established to support the key tasks.

A proposed working group structure is identified in the governance model at Annex A. The structure, membership and operations of the zonal and regional working groups may be changed at the discretion of the relevant Atlantic Steering Committee representatives. Annex A will be updated to reflect the changes as required.

ACCOUNTABILITY

The Atlantic Steering Committee will augment and strategically align the work ongoing in the individual departments and programs. It is not the intention of the Atlantic Steering Committee to replace, or over-ride, the individual accountabilities that rest with departments and programs for program and service delivery.

On behalf of the Atlantic Steering Committee, the Chair will report to and provide recommendations to the National Steering Committee as part of the integrated governance structure for protected whales.

The Atlantic Steering Committee can make decisions on matters within the members' respective accountabilities and with zonal implications such as tasking appropriate officials and working groups, authorizing interregional meetings and planning processes, approving work plans and allocating resources within existing budgets.

OPERATING PRINCIPLES

As the distribution of the NARW appears to be changing and aggregations could appear in the waters of any region in Atlantic Canada, the Atlantic Steering Committee will

promote zonal (Atlantic-wide) approaches to the scientific study and management of the NARW, to the greatest extent possible.

Recommendations to the National Steering Committee will be made by consensus where possible. If agreement cannot be reached among the Atlantic Steering Committee members, the committee will provide written advice and seek direction from the National Steering Committee and the relevant national sector lead.

ADMINISTRATION

Tenure

The Atlantic Steering Committee will meet for one year, from December 2017 to December 2018, to coordinate the development, implementation and review of zonal management measures to mitigate risks from fishery interactions and vessel interactions and zonal protocols for marine mammal response. After one year, the need for the committee will be evaluated.

Meeting frequency and format

Meetings will initially be held bi-weekly via conference call. The meeting frequency will be reconsidered when zonal management measures and zonal protocols are developed for the spring of 2018. Should additional meetings or in-person meetings be required, they will be arranged on an *ad hoc* basis.

Secretariat

Policy and Economics, Maritimes Region, will initially provide secretariat services to the committee until human resources associated with the new whale program are staffed.

Meeting Materials

The secretariat will draft meeting agendas based on input from Atlantic Steering Committee representatives and will prepare a record of discussion for each meeting.

Meeting materials should be forwarded to the secretariat for distribution to the committee prior to the meeting, at least three working days in advance, where possible.

This is a bilingual committee. Draft materials will be distributed in the language of origin and final materials will be translated in both official languages, when practical.

Amendments

These Terms of Reference may be amended at any time, provided there is unanimous agreement among committee members.

Annex A - Proposed Model for Coordinated and Collaborative Management of Protected Whales

National Interdepartmental Senior Executive Steering Committee on Whales		Chair: ADM FHM – Sylvie LaPointe, Members: DFO, CCG, ECCC and TC. (Members are ADMs of operational branches, RDGs for DFO's 6 regions, with DG and RD level support.)	
Purpose:	Effective Implementation of Whales program	Goals/Objectives:	<ul style="list-style-type: none"> - To develop a coherent national approach to maximize the protection of all whales while minimizing the economic impacts to Canadian industries across regions through increased communication, coordination and implementation.
Purpose:	Effective Implementation of Whales program	Roles and Responsibilities:	<ul style="list-style-type: none"> - Strategic direction and national oversight - To direct priorities of regional working groups to achieve objectives set out for the recovery of specific species (i.e. SRKW, NARW, SLEB). - To act as a central reporting mechanism to inform senior management and respective Ministers across federal departments of federal initiatives to protect whales.
Atlantic Steering Committee for the North Atlantic Right Whale (DFO-TC)		Chair: RDG Maritimes Region – Mary-Ellen Valkenier, Secretariat: P&E MAR – Sheila Prall Dillman Members: Recovery Implementation: DG Science – Louise Laverdure, RD Science – Alain Vezina, Director, Fisheries Population Science – Jean Landry, DG FM – Adam Burns, RD FM – Doug Wentzell, RD FM Gulf: Frank Quinn, RDG Quebec – Patrick Vincent, DG Environmental Policy, TC – Ellen Burack, RDG Gulf – Serge Doucet, Superintendent, MCTS: Julien Gaudet, RDG NL: Kevin Anderson; DG C&P – Darren Goetze; Manager, Resource Management – Atlantic: Jennifer Bule, Recovery planning: DG EM – Nick Winfield, RD EM MAR – Annette Daley (NARW SAR Lead Region)	
To meet biweekly to March 2018 and then regularly (schedule tbd) until December 2018		Goals/Objectives:	<ul style="list-style-type: none"> - Recovery implementation for NARW - Reduction of Injury - Prevention of Mortality
Recovery implementation for SAR Protected Marine Mammals		Roles and Responsibilities:	<ul style="list-style-type: none"> - Coordination, Direction and Decision-making related to: Research, Risk Assessment and Monitoring: including predictive tools (prey, spatial, temporal modelling), data and information sharing, surveillance - Threat Mitigation (Fishery Interaction, Vessel Interaction): including technology development and innovation relating to gear, detection, threat/contact avoidance - Marine Mammal and Incident Response
Steering Committee functional leads:		Threat Mitigation (Fishery Interaction, Vessel Interaction): including technology development and innovation relating to gear, detection, threat/contact avoidance	
Purpose:		Fishery Interaction (Atlantic zonal approach)	
To coordinate the identification and development of zonal recommendations related to each of the key areas identified and represent them at the Steering Committee.		SC representation: RD FM MAR: Doug Wentzell RD FM Gulf: Frank Quinn	
- Research, Risk assessment and Monitoring		RDs of FM in MAR, Gulf, NL, and Quebec and the DG of FRM will monitor activities and promote collaboration among existing groups and structures.	
- Threat Mitigation		Science and TC are invited to participate in fisheries management discussions as appropriate.	
- Response			
Atlantic Working Groups		Vessel Interaction (Atlantic zonal approach, focus on GSL Coordinates WG of TC/DFO/Industry)	
Purpose:		SC representation: RDG Quebec: Patrick Vincent DG Environmental Policy, TC: Ellen Burack Superintendent, MCTS: Julien Gaudet	
To identify science and management plans and solutions for each of the key tasks and communicate them to the Steering Committee leads.		The lead coordinator for Marine Mammal Response program (Brett Gilchrist) is developing zonal protocols through the marine mammal response program with supporting leadership from the Gulf Region.	
To meet regularly to December 2018		Response	
		Marine Mammal and Incident Response Protocols (Zonal), Coordination of C&P Activities and Approaches (Atlantic Coordination of Regions)	
		SC representation: RDG Gulf: Serge Doucet DG FRM: Adam Burns DG C&P: Darren Goetze	

Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord Cadre de référence

INTRODUCTION

Pêches et Océans Canada (MPO) a élaboré une stratégie de gouvernance intégrée visant à faciliter une approche coordonnée pour la gestion de la baleine noire de l'Atlantique Nord, l'épaulard résident du sud et le béluga de l'estuaire du Saint-Laurent.

Actuellement, plusieurs secteurs et directions générales participent à divers volets du dossier du rétablissement des baleines, aux niveaux régional et national. Y participent également d'autres ministères fédéraux au Canada, le gouvernement des États-Unis, diverses organisations des secteurs universitaire et non gouvernemental ainsi que des organismes internationaux qui jouent des rôles importants.

Le Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord, qui relève du Comité directeur national des cadres supérieurs sur les baleines, assurera la surveillance de l'élaboration et de la coordination de mesures visant à prévenir la mortalité et à réduire les dommages causés à la baleine noire de l'Atlantique Nord dans tout le Canada atlantique.

OBJECTIF

Une intervention immédiate en matière de gestion s'impose pour réduire les décès de baleines noires de l'Atlantique Nord au Canada, en abordant les menaces que représentent les engins de pêche et les collisions avec des navires. Le Comité directeur de l'Atlantique assurera la coordination et fournira des conseils et des recommandations au Comité directeur national, pour s'assurer que des mesures efficaces seront en place à compter du printemps 2018, dans les volets suivants :

- **Recherche, évaluation des risques et surveillance** : y compris les outils de prévision (proies, modélisation spatiale et temporelle), l'échange de données et d'information, la surveillance
- **Atténuation des menaces (interactions avec les pêches, interaction avec les navires)** : y compris le développement de la technologie et l'innovation liés aux engins, à la détection, à l'évitement de la menace ou du contact
- **Intervention en cas d'incident et mammifères marins** : y compris l'élaboration de protocoles zonaux

PORTÉE

Le Comité directeur de l'Atlantique se concentrera sur la baleine noire de l'Atlantique Nord dans toute son aire de répartition dans les eaux canadiennes, y compris le bassin Grand Manan (baie de Fundy) et le bassin Roseway (au large du sud-ouest de la

Nouvelle-Écosse), le golfe du Saint-Laurent et la côte ouest de Terre-Neuve-et-Labrador. Il se penchera également sur les effets et avantages éventuels des mesures proposées sur d'autres espèces, en particulier d'autres mammifères marins protégés.

COMPOSITION

Le Comité directeur de l'Atlantique est présidé par le directeur général régional, Région des Maritimes. Il incombe à chaque membre de coordonner la détermination et l'élaboration des recommandations concernant les principaux domaines de travail cibles et les représenter devant le Comité. Les représentants du Comité directeur de l'Atlantique associés aux principaux domaines de travail occupent les postes suivants :

Recherche, évaluation des risques et surveillance

- Directeur général, Sciences des écosystèmes, Administration centrale nationale
- Directeur, Sciences des populations de poissons, Administration centrale nationale
- Directeur régional, Secteur des sciences, Région des Maritimes

Interaction avec les pêches

- Directeur régional, Gestion des pêches, Région des Maritimes
- Directeur régional, Gestion des pêches et de l'aquaculture, Région du Golfe

Interaction avec les navires

- Directeur général régional, Région du Québec
- Directeur général, Politique environnementale, Transports Canada (TC)
- Surintendant, Services de communication et de trafic maritimes (SCTM), Garde côtière canadienne (GCC)

Intervention auprès de mammifères marins

- Directeur général régional, Région du Golfe
- Directeur général, Gestion des ressources halieutiques
- Directeur général, Conservation et Protection

Rétablissement

- Directeur général, Gestion des écosystèmes, Administration centrale nationale
- Directeur régional, Gestion des écosystèmes, Région des Maritimes

Le directeur général régional, Région de Terre-Neuve-et-Labrador, est également présent pour aider chaque secteur de responsabilité à s'assurer que les plans de gestion de zone et les protocoles pour la baleine noire de l'Atlantique Nord sont mis à exécution dans tout le Canada atlantique.

Le directeur général, Gestion des ressources halieutiques, est également présent pour établir des liens avec le Comité directeur national et les autres comités régionaux en ce qui concerne les baleines protégées.

Le gestionnaire national, Gestion des ressources - Atlantique, qui copréside le groupe de travail canado-américain sur la baleine noire de l'Atlantique Nord, est responsable de la coordination des travaux de Pêches et Océans Canada (MPO) et de ceux des États-Unis dans ce domaine.

Remplaçants :

Si la présidente n'est pas en mesure d'assister à la réunion, elle désignera un remplaçant parmi les représentants du Comité directeur de l'Atlantique avant la réunion.

Si un représentant du Comité n'est pas en mesure d'assister à la réunion, il désignera un remplaçant compétent et en informera le secrétariat avant la réunion. Si les deux représentants chargés d'une tâche essentielle ont désigné des remplaçants pour assister à une réunion, la discussion peut être repoussée à la prochaine réunion, à la discrétion de la présidente.

Invités et observateurs :

D'autres participants peuvent être invités à assister à une réunion de façon ponctuelle et des observateurs peuvent assister aux réunions à la discrétion des représentants du Comité directeur de l'Atlantique.

GROUPES DE TRAVAIL

Il incombe aux représentants du Comité directeur de l'Atlantique de surveiller les approches zonales (c.-à-d. à l'échelle de l'Atlantique) et, le cas échéant, les groupes de travail sont chargés d'établir, de recommander et de mettre en œuvre des plans de travail en matière de sciences et de gestion pour leurs tâches principales respectives. Des groupes de travail régionaux peuvent également être créés à l'appui des tâches principales.

Une structure de groupe de travail proposée est présentée dans le modèle de gouvernance à l'Annexe A. La structure, la composition et les opérations des groupes de travail dans les zones et les régions peuvent être modifiées à la discrétion des représentants compétents du Comité directeur de l'Atlantique. L'Annexe A sera mise à jour au besoin en fonction des modifications.

RESPONSABILITÉ

Le Comité directeur de l'Atlantique accroîtra et rajustera de manière stratégique le travail en cours dans les divers ministères et programmes. Le Comité directeur de l'Atlantique n'a pas l'intention de remplacer les diverses responsabilités incombant aux ministères et aux programmes pour ce qui est de l'exécution des programmes et de la prestation des services, ni de ne pas en tenir compte.

Au nom du Comité directeur de l'Atlantique, la présidente rendra compte au Comité directeur national et elle lui présentera des recommandations dans le cadre de la structure de gouvernance intégrée pour les baleines protégées.

Le Comité directeur de l'Atlantique peut prendre des décisions sur des questions qui relèvent des responsabilités respectives des membres et ont des répercussions dans les zones, comme l'attribution de tâches aux fonctionnaires et aux groupes de travail compétents, l'autorisation des réunions interrégionales et des processus de planification, l'approbation des plans de travail et la répartition des ressources au sein des budgets existants.

PRINCIPES DE FONCTIONNEMENT

Comme la répartition de la population de baleines noires de l'Atlantique Nord semble changer et que des concentrations pourraient se produire dans les eaux de n'importe quelle région du Canada atlantique, le Comité directeur de l'Atlantique favorisera des approches zonales (à l'échelle de l'Atlantique) pour ce qui est de l'étude scientifique et de la gestion de la baleine noire de l'Atlantique Nord, dans toute la mesure du possible.

Les recommandations au Comité directeur national seront faites par consensus si possible. Si les membres du Comité directeur de l'Atlantique ne peuvent pas s'entendre, le Comité fournira des conseils par écrit et sollicitera l'orientation du Comité directeur national et du responsable de secteur national compétent.

ADMINISTRATION

Mandat

Le Comité directeur de l'Atlantique siègera pendant un an, de décembre 2017 à décembre 2018, pour coordonner l'élaboration et la mise en œuvre ainsi que l'examen de mesures de gestion par zone pour atténuer les risques découlant des interactions avec les pêches et avec les navires, et de protocoles zonaux pour l'intervention auprès de mammifères marins. Au bout d'un an, on évaluera le besoin de maintenir le Comité en vigueur.

Fréquence et déroulement des réunions

En un premier temps, les réunions auront lieu toutes les deux semaines et se dérouleront par téléphone. La fréquence des réunions sera revue lorsque les mesures de gestion par zone et les protocoles zonaux auront été élaborés pour le printemps 2018. Si des réunions supplémentaires ou en personne s'imposent, elles seront organisées sur une base ponctuelle.

Secrétariat

Politiques et services économiques, Région des Maritimes, fournira au départ des services de secrétariat au Comité en attendant l'affectation des ressources humaines au nouveau programme de rétablissement des baleines.

Documents de réunion

Le secrétariat préparera l'ébauche des documents de réunion en utilisant les commentaires des représentants du Comité directeur de l'Atlantique, et rédigera un compte rendu des décisions de chaque réunion.

Les documents de réunion doivent être transmis au secrétariat pour être distribués aux membres du Comité avant les réunions, au moins trois jours ouvrables avant si possible.

Le Comité est un comité bilingue. Les ébauches de documents seront préparées dans la langue d'origine et les documents dans leur version finale seront traduits dans les deux langues officielles, lorsque cela est possible.

Modifications

Le présent cadre de référence peut être modifié en tout temps, à condition qu'il y ait un accord unanime entre les membres du Comité.

Annexe A – Modèle proposé pour la gestion coordonnée et collaborative des baleines protégées

Comité directeur national des cadres interministériels sur les baleines	Présidente : SMA, GPP – Sylvie LaPointe. Membres : MPO, CGG, ECCC et TC. (Les membres sont des sous-ministres adjoints de directions générales, des directeurs généraux régionaux des six régions du MPO, qui bénéficient de l'aide des directeurs généraux et des directeurs régionaux.)
Objet : Mise en œuvre efficace du programme de rétablissement des baleines	Rôles et responsabilités : Orientation stratégique et surveillance nationale - Diriger les priorités des groupes de travail régionaux pour atteindre les objectifs établis pour le rétablissement d'espèces données (p. ex. l'épaulard résident du sud, la baleine noire de l'Atlantique Nord, le béluga de l'estuaire du Saint-Laurent). - Tenir lieu de mécanisme central d'établissement de rapports pour informer la haute direction et les ministres fédéraux respectifs des initiatives fédérales visant à protéger les baleines.

Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord (MPO-TC) Se réunir toutes les deux semaines jusqu'en mars 2018, puis régulièrement (fréquence à déterminer) jusqu'en décembre 2018	Présidente : Directrice générale régionale, Région des Maritimes – Mary-Ellen Valkenier; Secrétariat : Politiques et services économiques, Région des Maritimes – Sheila Prall Dillman Membres : Mise en œuvre du rétablissement : Directrice générale, Secteur des sciences – Louise Laverdure. Directeur régional, Secteur des sciences – Alain Vézina. Directeur, Sciences des populations des pêches – Jean Landry. Directeur général, Gestion des pêches – Adam Burns. Directeur régional, Gestion des pêches – Doug Wentzell. Directeur régional, Gestion des pêches, Région du Golfe – Frank Quinn. Directeur général régional, Région du Québec – Patrick Vincent. Directrice générale, Politique environnementale, TC – Ellen Burack. Directeur général régional, Région du Golfe – Serge Doucet. Surintendant, Services de communication et de trafic maritimes – Julien Gaudet. Directeur général régional, Région de Terre-Neuve-et-Labrador – Kevin Anderson. Directeur général, Conservation et Protection – Darren Goetze. Gestionnaire, Gestion des ressources – Atlantique – Jennifer Buie. Planification du rétablissement : Directeur général, Gestion des écosystèmes – Nick Winfield. Directrice régionale, Gestion des écosystèmes, Région des Maritimes – Annette Daley (région responsable des espèces en péril – baleine noire de l'Atlantique Nord)		
	Buts et objectifs : Mise en œuvre du rétablissement de la baleine noire de l'Atlantique Nord <ul style="list-style-type: none">- Réduction des blessures- Prévention de la mortalité Mise en œuvre du rétablissement des mammifères marins protégés - espèces en péril	Rôles et responsabilités – Coordination, orientation et prise de décisions liées à : <ul style="list-style-type: none">- La recherche, l'évaluation des risques et la surveillance : y compris les outils de prévision (proies, modélisation spatiale et temporelle), l'échange de données et d'information, la surveillance- L'atténuation des menaces (interaction avec les pêches, interaction avec les navires) : y compris le développement de la technologie et l'innovation liés aux engins, à la détection, à l'évitement de la menace ou du contact- L'intervention en cas d'incident et mammifères marins	
Responsables fonctionnels du Comité directeur : Objet : Coordonner la détermination et l'élaboration de recommandations concernant les zones liées à chacune des tâches principales déterminées et les représenter devant le Comité directeur. – Recherche, évaluation des risques et surveillance – Atténuation des menaces – Intervention	Recherche, évaluation des risques et surveillance Recherche, évaluation des risques et surveillance : y compris les outils de prévision (proies, modélisation spatiale et temporelle), l'échange de données et d'information (y compris le collecte de données scientifiques externes, p. ex. du milieu universitaire) et la surveillance (Approche zonale de l'Atlantique; mettre l'accent sur le golfe du Saint-Laurent) Représentation du Comité directeur : Louise Laverdure Directrice générale, Secteur des sciences : Région des Maritimes : Alain Vézina	Atténuation des menaces Atténuation des menaces (interaction avec les pêches, interaction avec les navires) : y compris le développement de la technologie et l'innovation liés aux engins, à la détection, à l'évitement de la menace ou du contact Interaction avec les pêches (Approche zonale de l'Atlantique) Représentation du Comité directeur : Directeur régional, Gestion des pêches, Région des Maritimes : Doug Wentzell Directeur régional, Gestion des pêches, Région du Golfe : Frank Quinn	Intervention Interventions en cas d'incident et mammifères marins, protocoles (zonaux), coordination des approches et des activités de Conservation et Protection (Coordination des régions par l'Atlantique) Représentation du Comité directeur : Directeur général régional, Région du Golfe : Serge Doucet Directeur général, Gestion des ressources halieutiques : Adam Burns Directeur général, Conservation et Protection : Darren Goetze
Groupes de travail de la Région de l'Atlantique Objet :	Les directeurs régionaux, Gestion des pêches, des régions des Maritimes, du Golfe, de Terre-Neuve-et-Labrador et du Québec, et le		
	Le directeur général régional, Région du Québec (Patrick Vincent) et le conseiller spécial de TC (Paul Scott) représentent le		

<p>Déterminer les plans de gestion et les plans scientifiques, ainsi que les solutions pour chacune des tâches principales et les communiquer aux responsables du Comité directeur.</p> <p>Se réunir régulièrement jusqu'à mars 2018</p>	<p>l'Atlantique Nord, qui comprend des représentants du Secteur des sciences de chaque région.</p>	<p>directeur général, Gestion des ressources halieutiques, surveilleront les activités et favoriseront la collaboration entre les groupes et structures existants.</p> <p>Le Secteur des sciences et TC sont invités à participer aux discussions sur la gestion des pêches, le cas échéant.</p>	<p>gouvernement au sous-comité technique interministériel avec l'industrie du transport maritime, qui met l'accent sur le golfe du Saint-Laurent (Golfe et Québec). Le sous-comité technique comprend des représentants régionaux des régions des Maritimes (Secteur des sciences), du Golfe (Secteur des sciences) et du Québec, de la Garde côtière canadienne et de Transports Canada avec l'industrie du transport maritime.</p>	<p>des protocoles zonaux par l'intermédiaire du programme d'intervention auprès des mammifères marins avec l'aide de la haute direction de la Région du Golfe.</p>
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Ordre du jour

Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord (BNAN)

Le 31 janvier 2018, de 11 h à 12 h 30 (heure de l'Atlantique)

Numéro de la téléconférence : 1-877-413-4781 Code : [REDACTED]

Salle de conférence Ron Trites, 4^e étage de l'immeuble Polaris, IOB

	HEURE	SUJET	PRÉSENTATEUR
1	De 11 h à 11 h 10	Mot de bienvenue et présentations Examen du compte rendu des discussions de la réunion du 17 janvier 2018	Mary-Ellen Valkenier, directrice générale régionale, Région des Maritimes Sheila Prall Dillman, conseillère principale en politiques (secrétariat)
2	De 11 h 10 à 11 h 25	Interactions avec les pêches <ul style="list-style-type: none">Mise à jour de la présentation de la Gestion des ressources halieutiques à l'intention du Comité de surveillance de la gestion des pêches, comprenant une analyse des lacunes et des options visant à atténuer les risques que représentent les pêches dans le Canada atlantique pour la BNAN, et des prochaines étapes	Adam Burns, directeur général, Gestion des ressources halieutiques, ACN Doug Wentzell, directeur régional, Gestion des pêches, région des Maritimes Frank Quinn, directeur régional, Gestion des pêches et de l'aquaculture, région du Golfe
3	De 11 h 25 à 11 h 40	Interactions avec les navires <ul style="list-style-type: none">Mise à jour sur la réponse du gouvernement fédéral à l'industrie du transport maritime au sujet des options visant à atténuer les risques qu'elle représente dans le golfe du Saint-Laurent et d'autres zones pour les BNAN, et description des prochaines étapesAux fins de discussion : l'étendue des mesures de gestion concernant les navires hors de la zone de ralentissement actuelle dans le golfe du Saint-Laurent.	Patrick Vincent, directeur général régional, Région du Québec Ellen Burack, directrice générale, Politique environnementale, Transports Canada Julien Gaudet, surintendant, Services de communication et de trafic maritimes, Garde côtière canadienne
4	De 11 h 40 à 11 h 55	Recherche, évaluation des risques et surveillance <ul style="list-style-type: none">Mise à jour sur les plans de surveillance de Pêches et Océans Canada et de Transports Canada en vue d'appuyer les mesures de gestion proposées pour le printemps 2018Mise à jour sur l'examen des demandes d'avis du Secrétariat canadien de consultation scientifique	Louise Laverdure, directrice générale par intérim, Sciences des écosystèmes Jean Landry, directeur, Science des populations de poissons Alain Vézina, directeur régional des Sciences, Région des Maritimes
5	De 11 h 55 à 12 h 10	Processus décisionnels en cours de saison <ul style="list-style-type: none">Aux fins de discussion : une fois que les éléments déclencheurs pour certaines mesures de gestion sont établis afin d'atténuer les risques liés à l'industrie de la pêche et du transport maritime, qui s'occupera d'analyser les données scientifiques, de formuler des recommandations et de prendre des décisions au cours de la saison?	Patrick Vincent, directeur général régional, Région du Québec



6	De 12 h 10 à 12 h 20	Intervention auprès des mammifères marins <ul style="list-style-type: none">Mise à jour sur la réponse fournie par le MPO au rapport d'enquête de Transports Canada, et description des prochaines étapesMise à jour sur la rencontre entre le MPO et la Canadian Marine Animal Response Alliance	Serge Doucet, directeur général régional, Région du Golfe Adam Burns, directeur général, Gestion des ressources halieutiques, ACN Darren Goetze, directeur général, Conservation et Protection, ACN
7	De 12 h 20 à 12 h 30	Autres mises à jour <ul style="list-style-type: none">Mise à jour sur le point de presse du ministre concernant les BNAN à MonctonMise à jour sur les plans d'action concernant le rétablissement de la BNAN en vertu de la <i>Loi sur les espèces en péril</i>	Serge Doucet, directeur général régional, Région du Golfe Julie Stewart, directrice, Intégration des espèces en péril, ACN

Ordre du jour de la prochaine réunion - le 14 février 2018 :

- Mise à jour sur l'élaboration de protocoles zonaux à la suite de la réunion avec les coordonnateurs responsables des mammifères marins et d'autres intervenants le 2 février 2018
- Mise à jour sur la publication du rapport « Ce que nous avons entendu » rédigé à la suite des séances de mobilisation du public « Parlons des baleines », attendue au cours des premières semaines de février
- Aux fins de discussion : La liste des groupes de travail sur la baleine noire de l'Atlantique Nord - le Comité directeur de l'Atlantique doit-il établir des liens, s'il y a lieu, avec des groupes externes travaillant sur le rétablissement de la baleine noire de l'Atlantique Nord et les questions d'atténuation des menaces?
- Mise à jour sur le plan de déglacage de la Garde côtière pour les ports de pêche

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: February-02-18 12:55 PM
To: Valkenier, Mary-Ellen
Cc: Rossignol, Pauline; Daley, Annette; Williams, Wendy
Subject: For review: Draft RoD for ASC on NARW
Attachments: RoD - ASC for NARW Jan 31 2018 (draft 2018-02-01).docx

Hi Mary-Ellen,

Attached is the draft Record of Discussion from the Atlantic Steering Committee meeting on January 31st.

I had been sending the drafts to Annette for review before I sent them to the committee for comment. Please advise if you have any edits now or if you would prefer to review it after I receive the committee's changes (I usually receive few responses).

Thank you.

Sheila



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee for the North Atlantic Right Whale (NARW)
Meeting on January 31, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Mary-Ellen Valkenier	Regional Director General (Chair)
Wendy Williams	A/Regional Director, Ecosystems Management
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Alain Hebert	A/Regional Director General
DFO Quebec Region	
Patrick Vincent	Regional Director General
Canadian Coast Guard	
Julien Gaudet	Superintendent, Marine Communications and Traffic Services
DFO National Headquarters	
Louise Laverdure	A/Director General, Ecosystem Science
Jean Landry	Director, Fish Population Science
Darren Goetze	Director General, Conservation & Protection
Jennifer Buie	Resource Management – Atlantic
Julie Stewart	Director, Integrated Species at Risk
Transport Canada	
Ellen Burack	Director General, Environmental Policy
Paul Scott	Special Advisor, East Coast Vessel Strategies

	TOPIC	LEAD
1.	Welcome and Introductions Review of Record of Discussion	Mary-Ellen Valkenier
	The Record of Discussion from the meeting on January 17, 2018, had been circulated earlier by email. Any further comments can be sent by email to Mary-Ellen Valkenier and Sheila Prall Dillman by February 2, 2018, and it will then be considered final.	



2.	Fisheries Interactions	Jennifer Buie
	<p>Highlights:</p> <ul style="list-style-type: none">Jennifer Buie provided an update on a meeting that Fisheries Resource Management held on January 30, 2018, with each of their regional branches to confirm the fisheries management options for next season. Science, Species at Risk Management and Transport Canada also participated. They had discussed the surveillance needs associated with various options (e.g., partial closures, opening fisheries earlier) and Science provided an overview of their surveillance plans for prior to and during the season. Transport Canada had provided an overview of the options they were considering. They had also discussed a communications strategy to allow for reporting of opportunistic whale sightings from harvesters, observers and others. Given the amount of surveillance required, they also talked about how to leverage CCG resources. Quebec Region had outlined their fisheries management plans, which align well with measures for the Southern Gulf. They talked about the required licence conditions, for example, for mandatory reporting of lost gear, and the need to refine the scale of proposed static and dynamic zones. <p>For Action:</p> <ul style="list-style-type: none">NHQ will circulate a draft strategy on fisheries management options for input from the regions.A briefing note may be prepared for the Minister to outline the fisheries management measures. It was noted that the briefing notes on measures for fisheries and for shipping would ideally move in parallel and would consider comparability, for example, to explain any differences in approach such as different number of whales to trigger management measures. Fisheries Resource Management will continue to involve Transport Canada in discussions about the fisheries management options.	
3.	Vessel Interactions	Patrick Vincent Ellen Burack
	<p>Highlights:</p> <ul style="list-style-type: none">Patrick Vincent provided an update that the technical subcommittee on NARW will be meeting on February 2, 2018, in Montreal to further discuss management options for the shipping industry. (This subcommittee includes DFO, CCG, Transport Canada, representatives of the shipping industry and others stakeholders such as Moira Brown with New England Aquarium and Chris Taggart with Dalhousie University. The Canadian Marine Animal Response Alliance (CMARA) is also invited to the next meeting).Last week, federal comments had been provided to the shipping industry on their proposal for management measures. The departments will review their internal work on management options at the meeting on February 2nd. Comments received from the industry and other stakeholders will be used to augment the recommendations to the Ministers. The departments will then need to communicate the plans more broadly with the provinces and other stakeholders.It was noted that there are still questions about the departments' capacity for dynamic management due to the extent of surveillance required. Depending on the scale, the CCG's capacity for monitoring the slow done zones is also a consideration.Ellen Burack noted that parity in the risks and socio-economics impacts across the various shipping and fishing industries will be a key consideration going forward. <p>For Action:</p> <ul style="list-style-type: none">Patrick Vincent noted that the options being discussed focus on the slowdown box in the Gulf of St. Lawrence. However, the briefing note to the Ministers should also explain what the departments will do if NARW are sighted outside of that area. Patrick Vincent will organize meetings in February 2018 to discuss what mitigation measures will be taken if the NARW return in the spring to areas outside of the Gulf of St. Lawrence, for example, in the Cabot Strait or around Newfoundland and Labrador. The Atlantic Steering Committee members are asked to identify appropriate participants for these meetings.	



4.	Research, Risk Assessment and Monitoring	Louise Laverdure Jean Landry
	<p>Highlights:</p> <ul style="list-style-type: none">• Jean Landry provided an update that the procurement process is underway for surveillance flights and the results of the public posting should be known by the end of March or sooner. Before then, marine mammal observers will need to be hired and trained. The number of observers required will depend on the number of flights that can be arranged and other factors. For example, the National Oceanic and Atmospheric Administration (NOAA) may provide flights to survey the Gulf of St. Lawrence again but they have asked DFO to provide the observers. The Science Coordination Group is looking at options, for example, they may be able to use observers from Conservation & Protection (C&P) as well, but they are focusing on marine mammal scientists.• As a longer-term project, Science is continuing discussions with external groups such as NOAA and Dalhousie University about an integrated system to rapidly gather information from all sources to support timely decision-making.	
5.	In-season Decision-making processes	Patrick Vincent
	<p>Highlights:</p> <ul style="list-style-type: none">• Patrick Vincent raised the need for a small group to analyze the surveillance information received during the season and to make recommendations with respect to the triggers for certain management measures, for fisheries and shipping, so that timely decisions can be made.• Science will have a small group to do a number of things, including gathering the sightings information from all sites, putting it in a format that can be read, and using the information to adjust surveillance plans. It would be helpful for Science to have a small group that could receive this information, to analyze it further using the triggers and to provide management guidance back to Science.• It was noted that an Incident Command System (ICS) across DFO, CCG and Transport Canada may be helpful. The Marine Mammal Response group is considering an ICS approach, which could possibly be expanded, although responding to entanglements, necropsies and sightings require different capacities.• [REDACTED] <p>For Action:</p> <ul style="list-style-type: none">• With the committee's support, Mary-Ellen Valkenier asked Wendy Williams to work with Doug Wentzell to bring together a small group to identify options for decision-making processes during the season for fisheries and shipping. Wendy Williams will do a call-out for participants, which will include DFO, the CCG and Transport Canada.	
6.	Marine Mammal Response	Alain Hebert Darren Goetze
	<p>Highlights:</p> <ul style="list-style-type: none">• Darren Goetze provided an update that one of the recommendations in Transport Canada's investigation report on Joseph Howlett's death was for everyone involved in disentanglements to be equipped with a helmet. This would not have helped to prevent Mr. Howlett's death but it is an accepted standard. C&P has already updated the relevant procedures and task hazard analyses to make helmets mandatory and have begun the procurement process to purchase more helmets.• C&P also completed some training exercises recently on the use of floatation devices and rescuing whales stranded on beaches. They are also getting back to training with external partners.• There are ongoing discussions about whether or not Transport Canada's investigation report and DFO's response will be made public. A communications strategy is being developed.	



7.	Other Updates	Alain Hebert Julie Stewart
	<p><i>Update on the Minister's press event on NARW in Moncton:</i></p> <ul style="list-style-type: none">Alain Hebert provided an update on Minister LeBlanc's press event on January 23, 2018, in Moncton. The Minister released a "What We Heard Report" with a summary of comments from the Ministerial Roundtable on NARW on November 9, 2017. He also announced four new management measures for the Southern Gulf of St. Lawrence snow crab fishery. These included: (1) Reducing the amount of rope floating on the surface of the water; (2) Marking rope with a colour specific to each fishing area; (3) Identifying buoys with a sequential number; and (4) Mandatory reporting of all lost gear.There were 14 reporters online and 11 in the room with 5 observers. The main question was whether these measures would help prevent deaths of NARW. The Minister signaled that it was a beginning and there would be more to follow. <p><i>Update on Action Plans for recover of the NARW under the Species at Risk Act:</i></p> <ul style="list-style-type: none">Julie Stewart provided an update that the Action Plan for NARW on Other Threats is still going through approvals. They may include a link in the online version to a progress report on the Recovery Strategy.	
8.	Next Meeting	
	<ul style="list-style-type: none">The next bi-weekly meeting of the Atlantic Steering Committee will be on February 14, 2018.The update on meetings with the CMARA about possible projects was deferred to the next meeting.The Canadian Science Advisory Secretariat will meet this week (rather than last week) to review all requests for science advice so Jean Landry will provide an update to the Atlantic Steering Committee at the next meeting.The Minister has asked the CCG to prepare operational plans that would allow them to bring ice breakers to open fishing ports early, recognizing that the CCG has other safety and socio-economic priorities to consider. Julie Gaudet will invite Trevor Hodgson, Superintendent of Icebreaking Program – Atlantic, to speak with the Atlantic Steering Committee about this at the next meeting.	

Snow, Anne E

From: Wentzell, Doug
Sent: February-08-18 2:15 PM
To: Buie, Jennifer
Cc: Jenkins, Randy
Subject: FW: For Review: ASC for NARW / Pour examen: CDA pour BNAN

Thanks Jen,

This actually relates to the question that Patrick just asked on the Exec Steering Cttee call. In terms of the straw dog decision tree / communications approach you referenced, do you see region's to feed into that to ensure we put all of our protocols on the table and come up with a standard doc?

Doug

Doug Wentzell

Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directeur régional, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Buie, Jennifer
Sent: Thursday, February 8, 2018 1:50 PM
To: Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>
Subject: RE: For Review: ASC for NARW / Pour examen: CDA pour BNAN

Hi Doug,

Yes, we are working on a protocol; however, Randy and I think it would be a good idea, perhaps as part of our fishery interaction group, to have a brainstorm about all the activities that need to be done prior to opening the season related to fisheries and ensure we have someone or a region engaged on that task.

Thoughts?

From: Wentzell, Doug
Sent: February-08-18 10:38 AM
To: Jenkins, Randy; Buie, Jennifer
Subject: FW: For Review: ASC for NARW / Pour examen: CDA pour BNAN

Good Morning folks,

Just catching up on a few e-mails. Below is an update coming out of the last ASC meeting for NARW. I wasn't able to attend this meeting but Wendy Williams and I were tasked to develop a decision-making processes for managing fisheries during a given season in the event of the presence of whales. My understanding is that the closure protocol was discussed during last week's meeting and there's some work already being led to land on a consistent protocol across all regions. Can either of you confirm if that is indeed the case before we set up this separate working group.

Many Thanks,

Doug

Doug Wentzell

Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directeur régional, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

De : Prall-Dillman, Sheila

Envoyé : 5 février 2018 16:33

À : Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Ellen Burack <ellen.burack@tc.gc.ca>; Gaudet, Julien D <Julien.Gaudet@dfo-mpo.gc.ca>; Goetze, Darren <Darren.Goetze@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>; Laverdure, Louise <Louise.Laverdure@dfo-mpo.gc.ca>; Paul Scott <paul.scott@tc.gc.ca>; Perry, Jacqueline <Jacqueline.Perry@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>; Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Williams, Wendy <Wendy.Williams@dfo-mpo.gc.ca>; Winfield, Nicholas <Nicholas.Winfield@dfo-mpo.gc.ca>; Stewart, Julie <Julie.Stewart@dfo-mpo.gc.ca>; Hebert, Alain <Alain.Hebert@dfo-mpo.gc.ca>

Cc : Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Couturier-Dubé, Geneviève <Genevieve.Couturier-Dube@dfo-mpo.gc.ca>; Butler, Annette <Annette.Butler@dfo-mpo.gc.ca>; Bellfooy, Elyse <Elyse.Bellfooy@dfo-mpo.gc.ca>; Richard, Tina <Tina.Richard@dfo-mpo.gc.ca>; Rossignol, Pauline <Pauline.Rossignol@dfo-mpo.gc.ca>

Objet : For Review: ASC for NARW / Pour examen: CDA pour BNAN

(La version française suit)

Good afternoon,

For your review, attached is a draft agenda for the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on February 14, 2018, and a draft Record of Discussion from the meeting on January 31, 2018. Please advise if you have any edits for these documents by **February 9, 2018**. A nil response would be appreciated.

Also, it was agreed at the last meeting that Wendy Williams and Doug Wentzell would establish a small group to identify options for decision-making processes during the season. Please provide your suggested participants for this group to Wendy Williams by **February 7th**. Thank you.

Pour votre examen, vous trouverez ci-joint l'ébauche de l'ordre du jour pour la prochaine réunion du Comité de l'Atlantique pour la baleine noire de l'Atlantique Nord le 14 février 2018, ainsi que le compte rendu de la réunion le 31 janvier 2018. Veuillez confirmer si vous avez des modifications pour ces documents d'ici le **9 février 2018**. Une réponse nulle serait appréciée.

Aussi, il a été accepté à la dernière réunion que Wendy Williams et Doug Wentzell établiraient un groupe pour identifier des options pour processus décisionnels en cours de saison. Veuillez fournir vos participants suggérés pour ce groupe à Wendy Williams d'ici le **7 février**. Merci.

Cordialement,

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

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MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: February-12-18 12:46 PM
To: Buie, Jennifer; Burns, Adam; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Vézina, Alain; Vincent, Patrick; Wentzell, Doug; Williams, Wendy; Winfield, Nicholas; Hodgson, Trevor; Jenkins, Randy
Cc: Valkenier, Mary-Ellen; Daley, Annette; Butler, Annette; Neary, Lynn; Richard, Tina; Hébert, Linda M; Couturier-Dubé, Geneviève; Bois, Lucie; Belfoy, Elyse
Subject: Materials: ASC for NARW Feb 14 / Matériels : CDA pour BNAN le 14 févr
Attachments: 1a (EN) Agenda - ASC for NARW Feb 14 2018.docx; 1a (FR) Agenda - ASC for NARW Feb 14 2018.docx; 1b (EN) RoD - ASC for NARW Jan 31 2018 (draft 2018-02-06).docx; 1b (FR) RoD - ASC for NARW Jan 31 2018 (draft 2018-02-06).docx; 4 (EN) - NARW_FEB2.pdf; 4 (FR) - NARW_FEB2.pdf; 8a (EN) - NARW Inventory of Groups working (draft 2018-01-22).docx; 8a (FR) - NARW Inventory of Groups working (draft 2018-01-22).docx; 8b (EN) - NARW Categorization of Inventory (draft 2018-01-22).docx; 8b (FR) - NARW Categorization of Inventory (draft 2018-01-22).docx

Good afternoon,

Attached are the agenda and materials for the meeting of the Atlantic Steering Committee on North Atlantic Right Whale on February 14, 2018. Additional materials may follow for agenda item 3 (from the CCG). /

Vous trouverez en pièces jointes les matériels pour la réunion du Comité directeur de l'Atlantique pour la baleine noir de l'Atlantique Nord le 14 février. Il se peut que d'autres matériaux suivent pour point 3 à l'ordre du jour (de la GCC).

Bonne après-midi.

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

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Agenda

Atlantic Steering Committee for the North Atlantic Right Whale (NARW)

February 14, 2018, 11:00 am – 12:30 pm AST

Teleconference: 1-877-413-4781 Code: [REDACTED]

Ron Trites Boardroom, 4th floor, Polaris Building, BIO

	TIME	TOPIC	PRESENTER
1	11:00 – 11:05	Welcome and Introductions Review of Record of Discussion from the meeting on January 31, 2018	Mary-Ellen Valkenier, Regional Director General, Maritimes Region
2	11:05 – 11:15	Research, Risk Assessment and Monitoring <ul style="list-style-type: none">Update on surveillance plans to support proposed management measures for the spring of 2018	Louise Laverdure, A/Director General, Ecosystem Science Jean Landry, Director, Fish Population Science Alain Vézina, Regional Director, Science, Maritimes Region
3	11:15 – 11:30	Fisheries Interactions <ul style="list-style-type: none">Update on the draft strategy for fisheries management measures across Atlantic Canada and next stepsUpdate on the Coast Guard's operational plans for ice breakers to open fishing ports	Adam Burns, Director General, Fisheries Resource Management, NHQ Doug Wentzell, Regional Director, Fisheries Management, Maritimes Region Frank Quinn, Regional Director, Fisheries and Aquaculture Management, Gulf Region Trevor Hodgson, Superintendent of Icebreaking Program – CCG Atlantic
4	11:30 – 11:45	Vessel Interactions <ul style="list-style-type: none">Update on the technical subcommittee meeting on February 2, 2018, about management options for shipping interactions and next stepsUpdate on establishing a working group to discuss mitigation measures for potential shipping interactions in areas outside the slow-down box in the Gulf of St. Lawrence	Patrick Vincent, Regional Director General, Quebec Region Ellen Burack, Director General, Environmental Policy, Transport Canada Julien Gaudet, CCG Marine Communications Traffic Services, Superintendent
5	11:45 – 12:00	Marine Mammal Response <ul style="list-style-type: none">Update on the development on zonal protocols following the meeting with the Marine Mammal Coordinators and others on February 2, 2018Update on DFO's meeting with the Canadian Marine Animal Response Alliance about possible projects for next fiscal year	Serge Doucet, Regional Director General, Gulf Region Adam Burns, Director General, Fisheries Resource Management, NHQ Darren Goetze, Director General, Conservation & Protection, NHQ



		Collaborative Decision-Making	
6	12:00 – 12:10	<ul style="list-style-type: none">Update on establishing in-season decision-making processes for fisheries (and shipping)	Randy Jenkins, A/Senior Director, Integrated Resource Management, DFO NHQ
7	12:10 – 12:20	<ul style="list-style-type: none">For discussion: coordination of briefing notes to the Ministers with respect to timing and explanations of the comparability of triggers and socio-economic impacts associated with mitigation measures proposed for fisheries interactions and shipping interactions	Ellen Burack, Director General, Environmental Policy, Transport Canada Randy Jenkins, A/Senior Director, Integrated Resource Management, DFO NHQ
8	12:20 – 12:30	<ul style="list-style-type: none">For discussion : Inventory of groups working on NARW - whether or not the Atlantic Steering Committee is making linkages, as appropriate, with external groups working on NARW recovery and threat mitigation issues	Donald Humphrey, Manager, Species at Risk Management Division, Maritimes Region

Forward Agenda:

- Update on the release of the “What We Heard” report from the Let’s Talk Whales public engagement sessions, which is expected in early to mid-February
- Update on the Canadian Science Advisory Secretariat’s review of requests for advice



Ordre du jour

Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord

Le 14 février 2018, de 11 h à 12 h 30 (heure de l'Atlantique)

Numéro de la téléconférence : 1-877-413-4781 Code : [REDACTED]

Salle de conférence Ron Trites, 4^e étage de l'immeuble Polaris, IOB

	HEURE	SUJET	PRÉSENTATEUR
1	11 h à 11 h 5	Mot de bienvenue et présentations Examen du compte rendu des discussions de la réunion du 31 janvier 2018	Mary-Ellen Valkenier, directrice générale régionale, Région des Maritimes
2	11 h 5 à 11 h 15	Recherche, évaluation des risques et surveillance <ul style="list-style-type: none">Mise à jour sur les plans de surveillance en vue d'appuyer les mesures de gestion proposées pour le printemps 2018	Louise Laverdure, directrice générale par intérim, Sciences des écosystèmes Jean Landry, directeur, Science des populations de poissons Alain Vézina, directeur régional, Sciences, Région des Maritimes
3	11 h 15 à 11 h 30	Interactions avec les pêches <ul style="list-style-type: none">Mise à jour sur l'ébauche de stratégie visant à appuyer les mesures de gestion des pêches à l'échelle du Canada atlantique et prochaines étapesMise à jour sur les plans opérationnels de la Garde côtière concernant les brise-glaces pour ouvrir les ports de pêche	Adam Burns, directeur général, Gestion des ressources halieutiques, ACN Doug Wentzell, directeur régional, Gestion des pêches, région des Maritimes Frank Quinn, directeur régional, Gestion des pêches et de l'aquaculture, Région du Golfe Trevor Hodgson, Surintendant, Programme de déglacage - GCC, Atlantique
4	11 h 30 à 11 h 45	Interactions avec les navires <ul style="list-style-type: none">Mise à jour sur la réunion du comité technique du 2 février 2018 sur les options de gestion pour les interactions avec le transport maritime et prochaines étapesMise à jour sur l'établissement d'un groupe de travail pour discuter des mesures d'atténuation des éventuelles interactions avec le transport maritime dans les secteurs en dehors de la zone de ralentissement dans le golfe du Saint-Laurent	Patrick Vincent, directeur général régional, Région du Québec Ellen Burack, directrice générale, Politique environnementale, Transports Canada Julien Gaudet, surintendant, Services de communication et de trafic maritimes, Garde côtière canadienne
5	11 h 45 à 12 h	Intervention auprès des mammifères marins <ul style="list-style-type: none">Mise à jour sur l'élaboration de protocoles zonaux à la suite de la réunion avec les coordonnateurs responsables des mammifères marins et d'autres intervenants le 2 février 2018Mise à jour sur la réunion entre le Pêches et Océans Canada et la Canadian Marine Animal Response Alliance sur les projets possibles au cours du prochain exercice	Serge Doucet, directeur général régional, Région du Golfe Adam Burns, directeur général, Gestion des ressources halieutiques, ACN Darren Goetze, directeur général, Conservation et Protection, ACN

.../2



		Prise de décision en collaboration	
6	12 h à 12 h 10	<ul style="list-style-type: none">Mise à jour sur l'établissement des processus décisionnels en cours de saison pour les pêches (et le transport maritime)	Randy Jenkins, Directeur principal par intérim, Gestion intégrée des ressources, Gestion des ressources halieutiques
7	12 h 10 à 12 h 20	<ul style="list-style-type: none">Aux fins de discussion : coordination des notes d'information aux ministres au sujet du choix du moment et des explications de la comparabilité des éléments déclencheurs et des effets socioéconomiques associés aux mesures d'atténuation proposées pour les interactions avec les pêches et avec le transport maritime	Ellen Burack, directrice générale, Politique environnementale, Transports Canada Randy Jenkins, Directeur principal par intérim, Gestion intégrée des ressources, Gestion des ressources halieutiques
8	12 h 20 à 12 h 30	<ul style="list-style-type: none">Aux fins de discussion : liste des groupes de travail sur la baleine noire de l'Atlantique Nord - mesure dans laquelle le Comité directeur de l'Atlantique établit des liens, le cas échéant, avec des groupes externes travaillant sur le rétablissement de la baleine noire de l'Atlantique Nord et les questions d'atténuation des menaces	Donald Humphrey, gestionnaire, Division de la gestion des espèces en péril, Région des Maritimes

Ordre du jour des prochaines réunions :

- Mise à jour sur la publication du rapport « Ce que nous avons entendu » rédigé à la suite des séances de mobilisation du public « Parlons des baleines », attendue au cours des premières semaines de février
- Mise à jour sur l'examen des demandes d'avis du Secrétariat canadien de consultation scientifique



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee for the North Atlantic Right Whale (NARW)
Meeting on January 31, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Mary-Ellen Valkenier	Regional Director General (Chair)
Wendy Williams	A/Regional Director, Ecosystems Management
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Alain Hebert	A/Regional Director General
DFO Quebec Region	
Patrick Vincent	Regional Director General
Canadian Coast Guard	
Julien Gaudet	Superintendent, Marine Communications and Traffic Services
DFO National Headquarters	
Louise Laverdure	A/Director General, Ecosystem Science
Jean Landry	Director, Fish Population Science
Darren Goetze	Director General, Conservation & Protection
Jennifer Buie	Resource Management – Atlantic
Julie Stewart	Director, Integrated Species at Risk
Transport Canada	
Ellen Burack	Director General, Environmental Policy
Paul Scott	Special Advisor, East Coast Vessel Strategies

	TOPIC	LEAD
1.	Welcome and Introductions Review of Record of Discussion	Mary-Ellen Valkenier
	The Record of Discussion from the meeting on January 17, 2018, had been circulated earlier by email. Any further comments can be sent by email to Mary-Ellen Valkenier and Sheila Prall Dillman by February 2, 2018, and it will then be considered final.	



2.	Fisheries Interactions	Jennifer Buie
	<p>Highlights:</p> <ul style="list-style-type: none">Jennifer Buie provided an update on a meeting that Fisheries Resource Management held on January 30, 2018, with each of their regional branches to confirm the fisheries management options for next season. Science, Species at Risk Management and Transport Canada also participated. They had discussed the surveillance needs associated with various options (e.g., partial closures, opening fisheries earlier) and Science provided an overview of their surveillance plans for prior to and during the season. Transport Canada had provided an overview of the options they were considering. They had also discussed a communications strategy to allow for reporting of opportunistic whale sightings from harvesters, observers and others. Given the amount of surveillance required, they also talked about how to leverage CCG resources. Quebec Region had outlined their fisheries management plans, which align well with measures for the Southern Gulf. They talked about the required licence conditions, for example, for mandatory reporting of lost gear, and the need to refine the scale of proposed static and dynamic zones. <p>For Action:</p> <ul style="list-style-type: none">NHQ will circulate a draft strategy on fisheries management options for input from the regions.A briefing note may be prepared for the Minister to outline the fisheries management measures. It was noted that the briefing notes on measures for fisheries and for shipping would ideally move in parallel through both departments and would consider comparability, for example, to explain any differences in approach such as different number of whales to trigger management measures. Resource Management will continue to involve Transport Canada in discussions about the fisheries management options.	
3.	Vessel Interactions	Patrick Vincent Ellen Burack
	<p>Highlights:</p> <ul style="list-style-type: none">Patrick Vincent provided an update that the technical subcommittee on NARW will be meeting on February 2, 2018, in Montreal to further discuss management options for the shipping industry. (This subcommittee includes DFO, CCG, Transport Canada, representatives of the shipping industry and others stakeholders such as Moira Brown with New England Aquarium and Chris Taggart with Dalhousie University. The Canadian Marine Animal Response Alliance (CMARA) is also invited to the next meeting).Last week, federal comments had been provided to the shipping industry on their proposal for management measures. The departments will review their internal work on management options at the meeting on February 2nd. Comments received from the industry and other stakeholders will be used to augment the recommendations to the Ministers. The departments will then need to communicate the plans more broadly with the provinces and other stakeholders.It was noted that there are still questions about the departments' capacity for dynamic management due to the extent of surveillance required.Depending on the scale, the CCG's capacity for monitoring the slow done zones is also a consideration.Ellen Burack noted that parity in the risks and socio-economics impacts across the various shipping and fishing industries will be a key consideration going forward. <p>For Action:</p> <ul style="list-style-type: none">Patrick Vincent noted that the options being discussed focus on the slowdown box in the Gulf of St. Lawrence. However, the briefing note to the Ministers should also explain what the departments will do if NARW are sighted outside of that area. Patrick Vincent will organize meetings in February 2018 to discuss what mitigation measures will be taken if the NARW return in the spring to areas outside of the Gulf of St. Lawrence, for example, in the Cabot Strait or around Newfoundland and Labrador. The Atlantic Steering Committee members are asked to identify appropriate participants for these meetings.	



4.	Research, Risk Assessment and Monitoring	Louise Laverdure Jean Landry
	<p>Highlights:</p> <ul style="list-style-type: none">Jean Landry provided an update that the procurement process is underway for surveillance flights and the results of the public posting should be known by the end of March or sooner. Before then, marine mammal observers will need to be hired and trained. The number of observers required will depend on the number of flights that can be arranged and other factors. For example, the National Oceanic and Atmospheric Administration (NOAA) may provide flights to survey the Gulf of St. Lawrence again but they have asked DFO to provide the observers. The Science Coordination Group is looking at options, for example, they may be able to use observers from Conservation & Protection (C&P) as well, but they are focusing on marine mammal scientists.There are ongoing discussions between DFO Science and Dalhousie University about providing support to the development of an integrated system to rapidly gather whale sightings information from all sources to support timely decision-making.	
5.	In-season Decision-making processes	Patrick Vincent
	<p>Highlights:</p> <ul style="list-style-type: none">Patrick Vincent raised the need for a small group to analyze the surveillance information received during the season and to make recommendations with respect to the triggers for certain management measures, for fisheries and shipping, so that timely decisions can be made.Science will have a small group to do a number of things, including gathering the sightings information from all sites, putting it in a format that can be read, and using the information to adjust surveillance plans. It would be helpful for Science to have a small group that could receive this information, to analyze it further using the triggers and to provide management guidance back to Science.It was noted that an Incident Command System (ICS) across DFO, CCG and Transport Canada may be helpful. The Marine Mammal Response group is considering an ICS approach, which could possibly be expanded, although responding to entanglements, necropsies and sightings require different capacities. <p>For Action:</p> <ul style="list-style-type: none">With the committee's support, Mary-Ellen Valkenier asked Wendy Williams to work with Doug Wentzell to bring together a small group to identify options for decision-making processes during the season for fisheries and shipping. Wendy Williams will do a call-out for participants, which will include DFO, the CCG and Transport Canada.	
6.	Marine Mammal Response	Alain Hebert Darren Goetze
	<p>Highlights:</p> <ul style="list-style-type: none">Darren Goetze provided an update that one of the recommendations in Transport Canada's investigation report on Joseph Howlett's death was for everyone involved in disentanglements to be equipped with a helmet. This would not have helped to prevent Mr. Howlett's death but it is an accepted standard. C&P has already updated the relevant procedures and task hazard analyses to make helmets mandatory and have begun the procurement process to purchase more helmets.C&P also completed some training exercises recently on the use of floatation devices and rescuing whales stranded on beaches. They are also getting back to training with external partners.There are ongoing discussions about whether or not Transport Canada's investigation report and DFO's response will be made public. A communications strategy is being developed.	



7.	Other Updates	Alain Hebert Julie Stewart
	<p><i>Update on the Minister's press event on NARW in Moncton:</i></p> <ul style="list-style-type: none">Alain Hebert provided an update on Minister LeBlanc's press event on January 23, 2018, in Moncton. The Minister released a "What We Heard Report" with a summary of comments from the Ministerial Roundtable on NARW on November 9, 2017. He also announced four new management measures for the Southern Gulf of St. Lawrence snow crab fishery. These included: (1) Reducing the amount of rope floating on the surface of the water; (2) Marking rope with a colour specific to each fishing area; (3) Identifying buoys with a sequential number; and (4) Mandatory reporting of all lost gear.There were 14 reporters online and 11 in the room with 5 observers. The main question was whether these measures would help prevent deaths of NARW. The Minister signaled that it was a beginning and there would be more to follow. <p><i>Update on Action Plans for recover of the NARW under the Species at Risk Act:</i></p> <ul style="list-style-type: none">Julie Stewart provided an update that the Action Plan for NARW on Other Threats is still going through approvals. They may include a link in the online version to a progress report on the Recovery Strategy.	
8.	Next Meeting	
	<ul style="list-style-type: none">The next bi-weekly meeting of the Atlantic Steering Committee will be on February 14, 2018.The update on meetings with the CMARA about possible projects was deferred to the next meeting.The Canadian Science Advisory Secretariat will meet this week (rather than last week) to review all requests for science advice so Jean Landry will provide an update to the Atlantic Steering Committee at the next meeting.The Minister has asked the CCG to prepare operational plans that would allow them to bring ice breakers to open fishing ports early, recognizing that the CCG has other safety and socio-economic priorities to consider. Julien Gaudet will invite Trevor Hodgson, Superintendent of Icebreaking Program – Atlantic, to speak with the Atlantic Steering Committee about this at the next meeting.	



Pêches et Océans Canada (MPO)
Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord
Réunion du 31 janvier 2018
Compte rendu des discussions

Présents	
Nom	Titre
Région des Maritimes du MPO	
Mary-Ellen Valkenier	Directrice générale régionale (présidente)
Wendy Williams	Directrice régionale par intérim, Gestion des écosystèmes
Sheila Prall Dillman	Conseillère principale en politiques (secrétariat)
Région du Golfe du MPO	
Alain Hébert	Directeur général régional par intérim
Région du Québec du MPO	
Patrick Vincent	Directeur général régional
Garde côtière canadienne	
Julien Gaudet	Surintendant, Services de communication et de trafic maritimes
Administration centrale nationale du MPO	
Louise Laverdure	Directrice générale par intérim, Sciences des écosystèmes
Jean Landry	Directeur, Science des populations de poissons
Darren Goetze	Directeur général, Conservation et Protection
Jennifer Buie	Gestion des ressources – Atlantique
Julie Stewart	Directrice, Division intégrée des espèces en péril
Transports Canada	
Ellen Burack	Directrice générale, Politique environnementale
Paul Scott	Conseiller spécial, Stratégies des navires sur la côte Est

	SUJET	RESPONSABLE
1.	Mot de bienvenue et présentations Examen du compte rendu des discussions	Mary-Ellen Valkenier
	Le compte rendu des discussions de la réunion du 17 janvier 2018 a déjà été distribué par courriel. Le cas échéant, les commentaires supplémentaires peuvent être transmis par courriel à Mary-Ellen Valkenier et Sheila Prall Dillman d'ici le 2 février 2018, après quoi le compte rendu sera considéré comme final.	



2.	Interactions avec les pêches	Jennifer Buie
	<p>Points saillants :</p> <ul style="list-style-type: none">Jennifer Buie présente une mise à jour sur la réunion tenue par Gestion des ressources halieutiques le 30 janvier 2018 avec chacune des directions générales régionales pour confirmer les options concernant la gestion des pêches pour la saison prochaine. Sciences, Gestion des espèces en péril et Transports Canada y ont également participé. Les discussions ont porté sur les besoins de surveillance associés aux diverses options (p. ex. les fermetures partielles, l'ouverture précoce des pêches) et le Secteur des sciences présente un aperçu de ses plans de surveillance précédant la saison et en cours de saison. Pour sa part, Transports Canada présente un aperçu des options sur lesquelles il se penche. Il est également question d'une stratégie de communication devant permettre de rendre compte des observations fortuites de baleines, entre autres par les pêcheurs et les observateurs. Vu l'ampleur de la surveillance nécessaire, on discute également de la façon de tirer profit des ressources de la GCC. La Région du Québec décrit ses plans de gestion des pêches, lesquels concordent avec les mesures concernant le sud du golfe. On discute également des conditions de permis requises, par exemple pour la déclaration obligatoire des engins perdus et le besoin de préciser l'échelle des zones statiques et dynamiques. <p>Mesures à prendre :</p> <ul style="list-style-type: none">L'ACN fera circuler une ébauche de stratégie sur les options de gestion des pêches pour recueillir les commentaires des régions.Une note d'information pourra être préparée à l'intention du ministre pour décrire les mesures de gestion des pêches. Il est mentionné que l'idéal serait que les notes d'information sur les mesures concernant les pêches et le transport maritime évoluent en parallèle dans les deux ministères et traitent, par exemple, de la comparabilité, pour expliquer les différences d'approche comme la variation du nombre de baleines requis pour déclencher des mesures de gestion. Gestion des ressources continuera de faire participer Transports Canada aux discussions sur les options relatives à la gestion des pêches.	
3.	Interactions avec les navires	Patrick Vincent Ellen Burack
	<p>Points saillants :</p> <ul style="list-style-type: none">Patrick Vincent informe que le sous-comité technique sur la baleine noire de l'Atlantique Nord se réunira le 2 février 2018 à Montréal pour discuter plus en profondeur des options de gestion pour l'industrie du transport maritime. (Ce sous-comité comprend des représentants de Pêches et Océans Canada, de la Garde côtière canadienne, de Transports Canada et de l'industrie du transport maritime ainsi que d'autres intervenants comme Moira Brown, du New England Aquarium, et Chris Taggart, de l'Université Dalhousie. La Canadian Marine Animal Response Alliance (CMARA) est également invitée à la prochaine réunion.)La semaine dernière, les commentaires du gouvernement fédéral ont été remis à l'industrie du transport maritime sur sa proposition de mesures de gestion. Les ministères examineront les travaux faits à l'interne sur les options de gestion, à la réunion du 2 février 2018. Les commentaires de l'industrie et d'autres intervenants serviront à accroître les recommandations à l'intention des ministres. Les ministères devront ensuite communiquer les plans de façon plus générale aux provinces et à d'autres intervenants.Il est mentionné que les questions suscitées par la capacité des ministères à pratiquer une gestion dynamique en raison de l'ampleur de la surveillance requise ne sont pas réglées.Selon l'échelle, la capacité de la GCC à surveiller les zones de ralentissement est également une question à examiner.Ellen Burack mentionne que la parité des risques et des effets socioéconomiques dans les industries du transport maritime et de la pêche sera un facteur clé à considérer à l'avenir.	



	Mesures à prendre : <ul style="list-style-type: none">Patrick Vincent fait remarquer que les options débattues sont axées sur la zone de ralentissement dans le golfe du Saint-Laurent. Néanmoins, il conviendrait aussi d'expliquer dans la note d'information aux ministres ce que les ministères feront si des baleines noires de l'Atlantique Nord sont observées en dehors de cette zone. Patrick Vincent organisera des réunions en février 2018 pour discuter des mesures d'atténuation qui seront prises si au printemps des baleines noires de l'Atlantique Nord retournent dans les zones en dehors du golfe du Saint-Laurent, par exemple dans le détroit de Cabot ou aux alentours de Terre-Neuve-et-Labrador. Il est demandé aux membres du Comité directeur de l'Atlantique d'identifier les personnes qui devraient assister à ces réunions.
4.	Recherche, évaluation des risques et surveillance <div>Louise Laverdure Jean Landry</div>
	Points saillants : <ul style="list-style-type: none">Jean Landry annonce que le processus d'approvisionnement est en cours pour les vols de surveillance et que les résultats de l'annonce publique devraient être connus au plus tard à la fin du mois de mars. Mais avant il faudra embaucher et former des observateurs de mammifères marins. Le nombre d'observateurs nécessaires dépendra de divers facteurs, notamment le nombre de vols qui peuvent être organisés. Par exemple, la National Oceanic and Atmospheric Administration (NOAA) peut de nouveau assurer des vols de surveillance du golfe du Saint-Laurent, mais elle a demandé au MPO de fournir les observateurs. Le groupe de coordination scientifique examine des options; par exemple, il pourrait aussi être en mesure de recourir aux observateurs de Conservation et Protection (C et P), mais il vise des scientifiques spécialistes des mammifères marins.Des discussions sont en cours entre le Secteur des sciences du MPO et l'Université Dalhousie sur l'apport d'un soutien à l'élaboration d'un système intégré afin de recueillir rapidement des renseignements sur les observations de baleines auprès de toutes les sources, à l'appui de la prise de décision en temps opportun.



5.	Processus décisionnels en cours de saison	Patrick Vincent
	<p>Points saillants :</p> <ul style="list-style-type: none">• Patrick Vincent parle du besoin de créer un petit groupe pour analyser les données de surveillance reçues pendant la saison et formuler des recommandations concernant les déclencheurs de certaines mesures de gestion, pour les pêches et le transport maritime, afin que les décisions soient prises en temps opportun.• Le Secteur des sciences aura à sa disposition un petit groupe qui sera chargé d'un certain nombre de tâches, notamment recueillir les données sur les observations en provenance de tous les sites, et les présenter dans un format qui peut être lu, et utiliser l'information pour modifier les plans de surveillance. Il serait utile au Secteur des sciences d'avoir un petit groupe pouvant recevoir cette information, en vue d'en faire une analyse plus poussée en utilisant les déclencheurs, puis de lui fournir une orientation à suivre en matière de gestion.• On mentionne qu'un système de commandement d'intervention (SCI) pour le MPO, la GCC et Transports Canada pourrait être utile. On considère que le groupe d'intervention auprès des mammifères marins relève d'une approche de SCI, qui pourrait être élargie, bien que les interventions en cas d'empêtements, les nécropsies et les observations exigent diverses capacités.• [REDACTED] <p>Mesures à prendre :</p> <ul style="list-style-type: none">• Avec l'appui du comité, Mary-Ellen Valkenier demande à Wendy Williams de travailler avec Doug Wentzell pour réunir un petit groupe chargé d'établir les options relatives aux processus décisionnels durant la saison, pour les pêches et le transport maritime. Wendy Williams lancera un appel pour identifier des participants, entre autres du MPO, de la GCC et de Transports Canada.	
6.	Intervention auprès des mammifères marins	Alain Hébert Darren Goetze
	<p>Points saillants :</p> <ul style="list-style-type: none">• Darren Goetze déclare que l'une des recommandations du rapport d'enquête de Transports Canada sur la mort de Joseph Howlett est que toutes les personnes qui participent aux interventions en cas d'empêtements portent un casque. Le port d'un casque n'aurait pas permis d'éviter la mort de M. Howlett, mais c'est une norme reconnue. C et P a déjà actualisé les procédures pertinentes et les analyses des risques liés à la tâche pour rendre le port du casque obligatoire et a amorcé le processus pour acheter davantage de casques.• De plus, C et P a récemment mené des exercices de formation sur l'utilisation des dispositifs de flottaison et le sauvetage des baleines échouées sur les plages. C et P revient également à la formation avec des partenaires externes.• Des discussions sont en cours sur la question de savoir si le rapport d'enquête de Transports Canada et la réponse du MPO seront rendus publics. Une stratégie de communication est en voie d'élaboration.	
7.	Autres mises à jour	Alain Hébert Julie Stewart
	<p><i>Mise à jour sur le point de presse du ministre concernant les baleines noires de l'Atlantique Nord à Moncton :</i></p> <ul style="list-style-type: none">• Alain Hébert présente une mise à jour sur le point de presse du ministre LeBlanc du 23 janvier 2018 à Moncton. Le ministre a publié un rapport « Ce que nous avons entendu », qui contient une synthèse des commentaires issus de la table ronde ministérielle sur les baleines noires de l'Atlantique Nord tenue le 9 novembre 2017. Il a également annoncé quatre nouvelles mesures de gestion pour la pêche du crabe	



des neiges dans le sud du golfe du Saint-Laurent. Elles consistent en ce qui suit : 1) réduire la quantité de cordages flottant à la surface de la mer; 2) marquer le cordage d'une couleur propre à chaque zone de pêche; 3) identifier les bouées à l'aide d'un numéro séquentiel; 4) déclarer obligatoirement tous les engins perdus.

- Quatorze journalistes étaient en ligne et onze étaient dans la salle avec cinq observateurs. La principale question était de savoir si ces mesures contribueraient à éviter la mort des baleines noires de l'Atlantique Nord. Le ministre a fait remarquer qu'il s'agissait d'un début et qu'il y aurait d'autres mesures.

Mise à jour sur les plans d'action concernant le rétablissement de la baleine noire de l'Atlantique Nord en vertu de la Loi sur les espèces en péril :

- Julie Stewart signale que le plan d'action pour la baleine noire de l'Atlantique Nord face à d'autres menaces en est toujours à l'étape des approbations. La version électronique du plan d'action pourrait inclure un lien vers un rapport d'étape sur la stratégie de rétablissement.

8. Prochaine réunion

- La prochaine réunion bihebdomadaire du Comité directeur de l'Atlantique aura lieu le 14 février 2018.
- La mise à jour sur les réunions avec la CMARA au sujet des projets possibles a été reportée à la prochaine réunion.
- Le Secrétariat canadien de consultation scientifique se réunira cette semaine (et non pas la semaine passée) pour passer en revue toutes les demandes d'avis scientifiques, pour que Jean Landry puisse fournir une mise à jour au Comité directeur de l'Atlantique lors de sa prochaine réunion.
- Le ministre a demandé à la GCC de préparer des plans opérationnels qui lui permettraient d'amener les brise-glaces pour ouvrir les ports de pêche plus tôt, car il reconnaît que la GCC a d'autres priorités à respecter concernant la sécurité et le contexte socioéconomique. Julien Gaudet invitera Trevor Hodgson, surintendant, Programme de déglacage – Atlantique, pour en discuter avec le Comité directeur de l'Atlantique à la prochaine réunion.

OCEANS PROTECTION PLAN

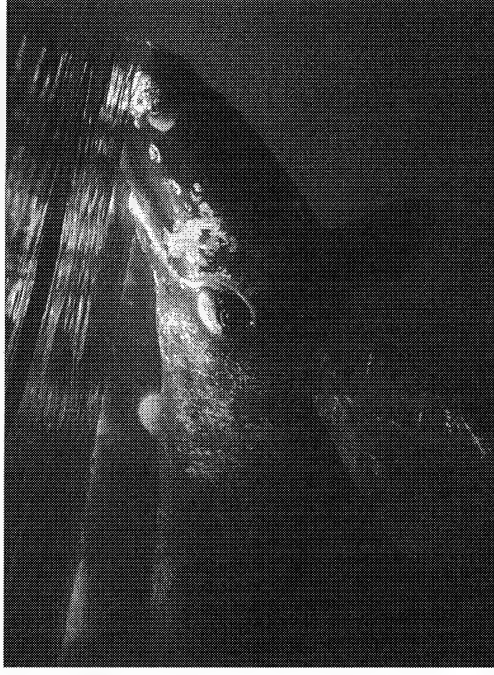
North Atlantic Right Whale (NARW)

Approaches for reducing the risk of
collisions with large vessels in 2018

Ellen Burack
Director General, Environmental Policy
Transport Canada

Purpose

- Examine potential approaches for mitigating the risk of vessel-whale interactions in the Gulf of St. Lawrence should NARWs return in 2018
- Review considerations associated with approaches



General NARW facts

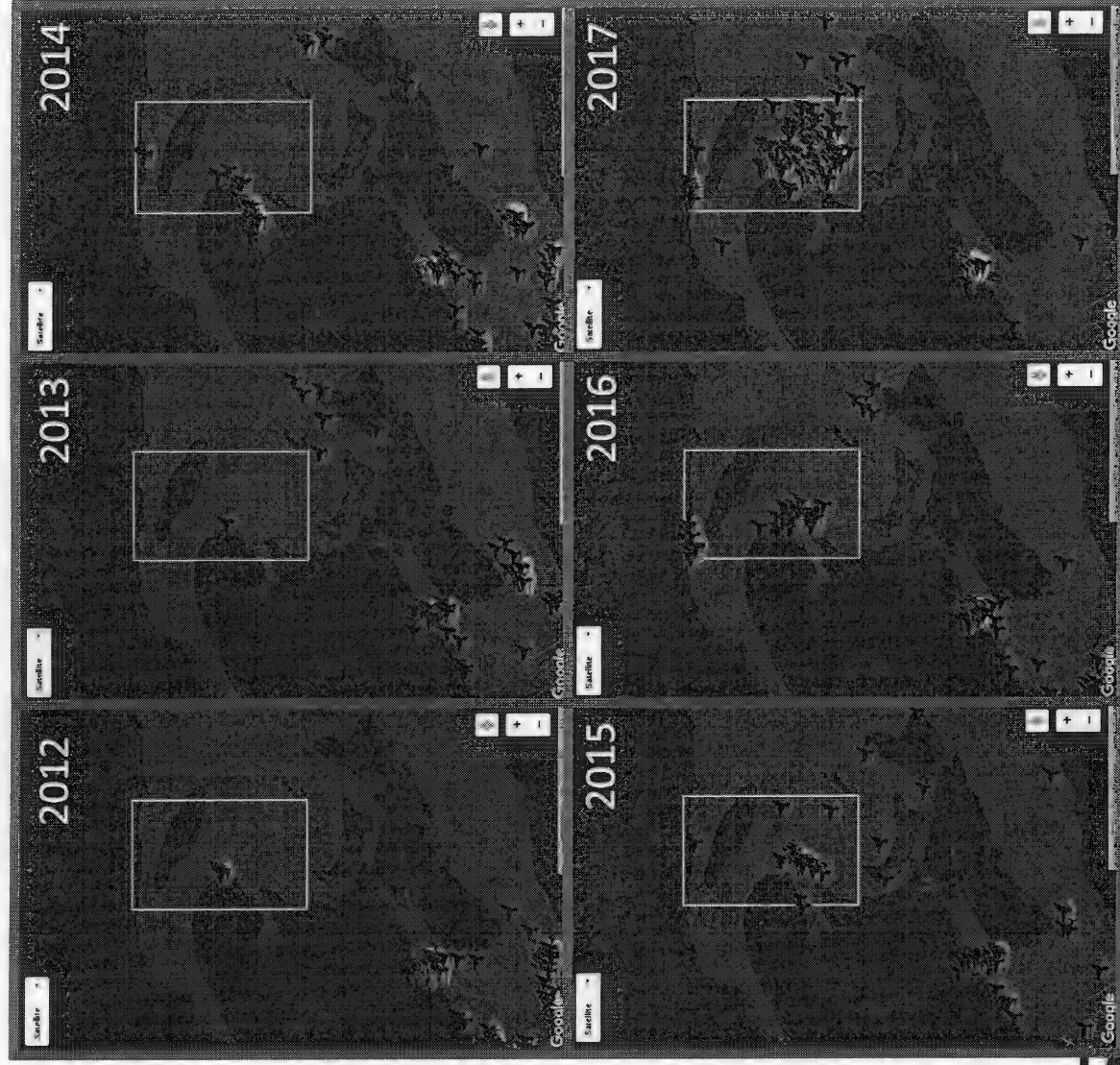
- Endangered
- Approximately 450 individuals with approximately 100 adult females
- Some experts say if current decline rates continue, the species could be functionally extinct in 20 years
- NARW ranges from Florida to Iceland and Norway
- Two main identified causes of NARW mortality are vessel strikes and entanglement in fishing gear

Vessel-NARW focus before 2017

- Historically, NARWs spent their summers in Canada, mainly in the Bay of Fundy and Roseway Basin
- Years of NARW observations and data led to:
 - Identifying the Grand Manan Basin as a NARW critical habitat area
 - Changing the Bay of Fundy shipping lane
 - Creating an "Area to be Avoided" in Roseway Basin, a second NARW critical habitat area
- United States (U.S.) experience
 - Years of data collection
 - Narrow surveillance zones with heavy east-west traffic into key ports
 - Shipping regulations introduced in 2008
 - Mandatory slowdown zones with 10 kn speed limit in known NARW aggregation areas
 - Voluntary 10 kn slowdown zones outside aggregation areas, triggered by three or more NARWs observed within a 75 n.m.² area, of two weeks, extendable by two weeks based on NARW presence

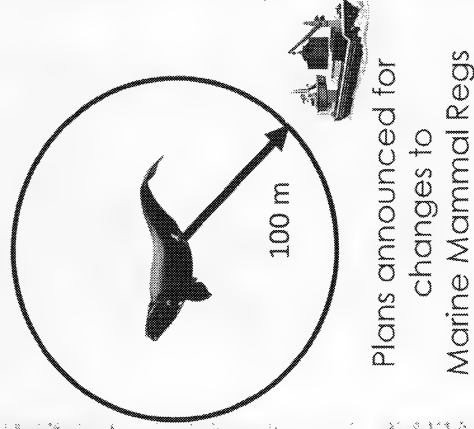
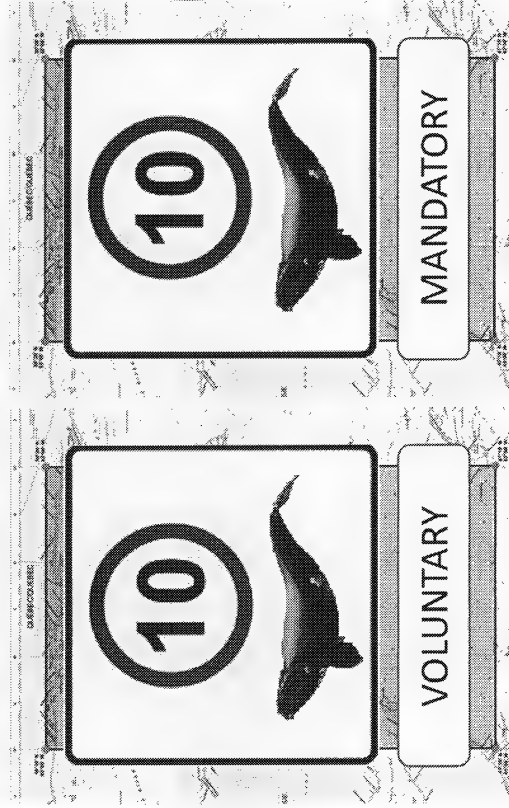
Summer 2017

- Observed significant increase of NARWs present in the Gulf of St. Lawrence
- At least 15 NARWs found dead in Atlantic waters with 12 in Canadian waters

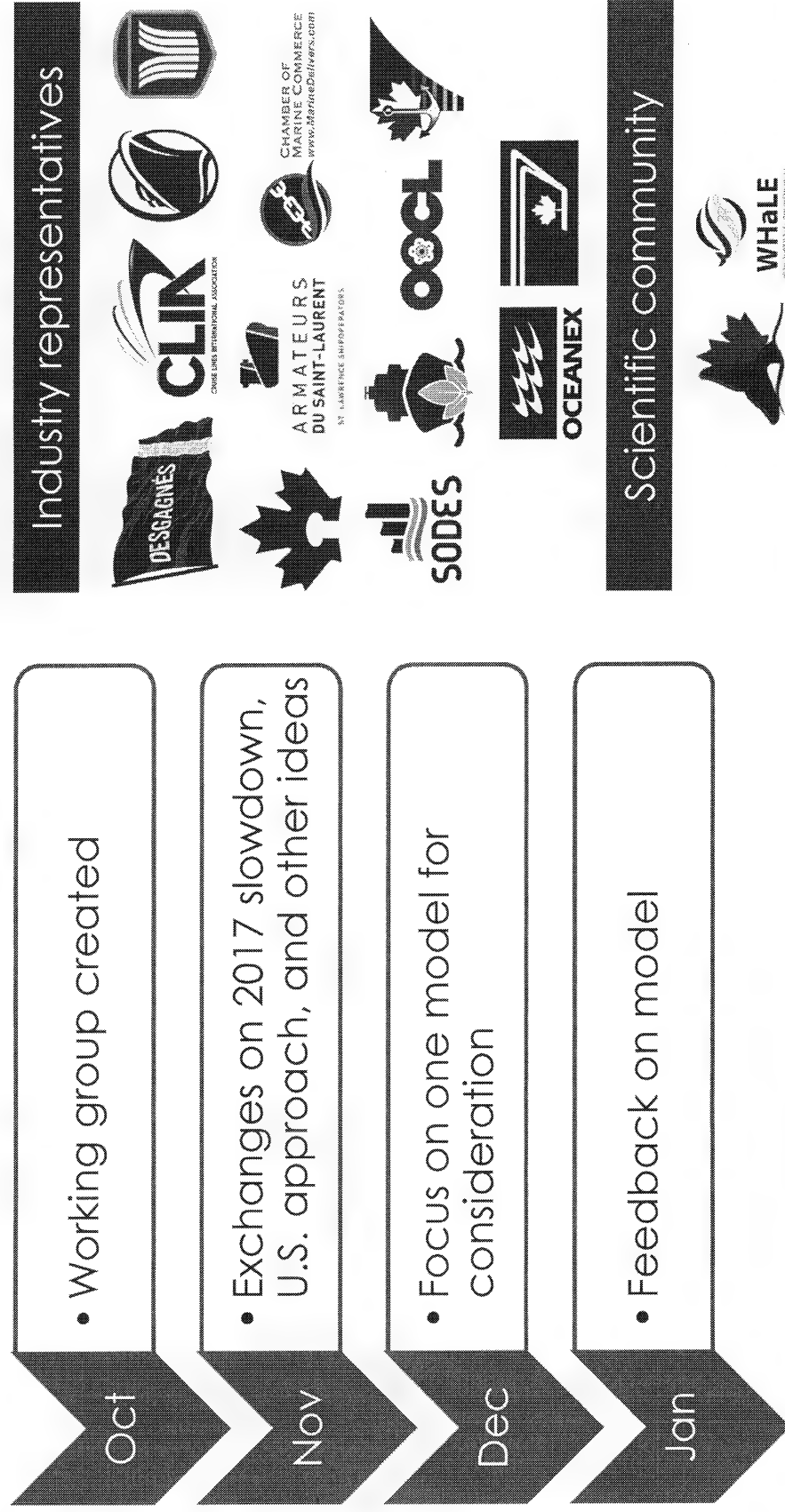


Source: NOAA

Government took action to reduce vessel strikes

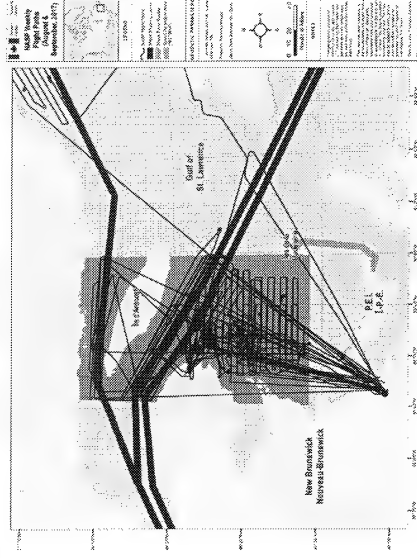
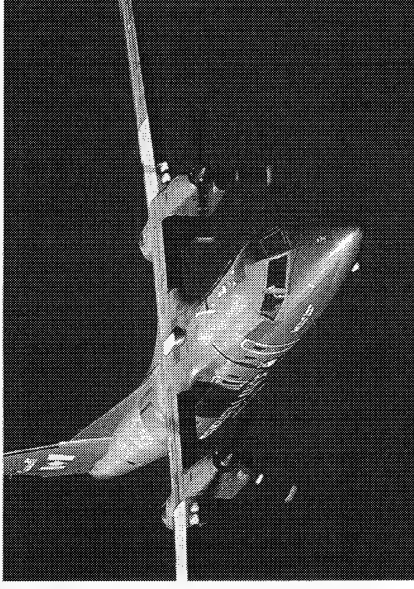


Discussions have taken place with marine industry to explore creative options



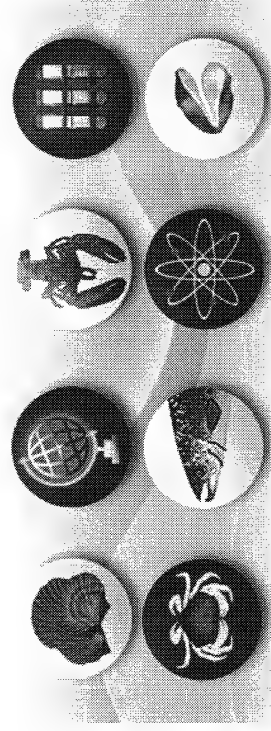
What is known about 2018

- While NARWs are likely to return to the Gulf, it is unclear if they will return to the same areas and in similar numbers as in 2017
- Desire to balance NARW protection and impacts on industry to the extent possible
- Aerial surveillance will be the primary means for detecting NARWs in 2018 but is also weather dependent
- Other technologies may be able to be piloted and used to complement efforts later in the season

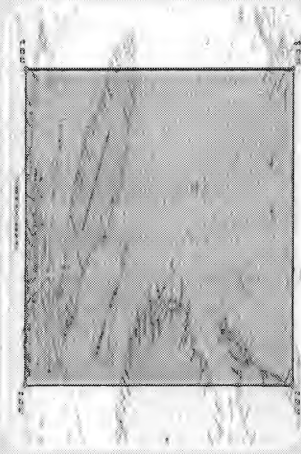


Canadian Science Advisory Secretariat provided science advice on timing

- Assume NARWs may return to the area of the 2017 slowdown by late April
- Assume NARWs may be present in the Western Gulf until late-December and possibly to mid-January
- NARWs are not expected to be present in the Gulf when pack ice is present, historically no later than mid-January
- Visual surveys can be compromised by weather and other factors
- Surveillance and conservation measures should begin in April, subject to further DFO Science advice

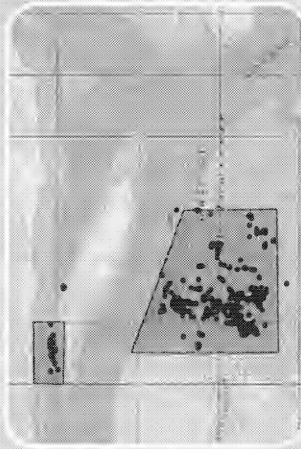


Three alternatives analyzed



1

Single
static
zone



2

Modified
U.S.
approach



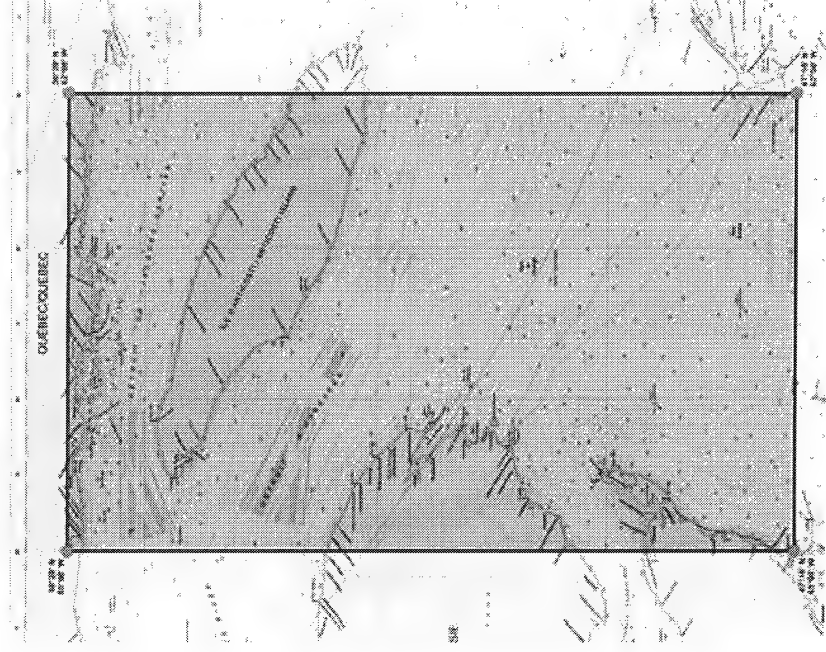
3

Dynamic
shipping
lane

1 Single static slowdown zone

Description

- One static area in the western Gulf
- Coordinates similar to 2017 or adjusted based on science advice
- Implemented from early April to late December
- 10 kn speed limit throughout zone
- Mandatory for vessels 20 m or greater; voluntary for others
- Constant monitoring throughout zone to support continuous confirmation of aggregation areas and slowdown zone



1 Single static slowdown zone

Key considerations (1)

- Economic consequences likely be similar to 2017
- Maximizes whale protection with regard to the three options as discussed
- Evidence of effectiveness; no known additional NARW deaths from vessel strikes after slowdown area was implemented in 2017
- Same level of protection may not be needed in all areas
- Static nature makes it relatively easier to communicate, implement, and enforce
- Fits within 2018 monitoring capacity

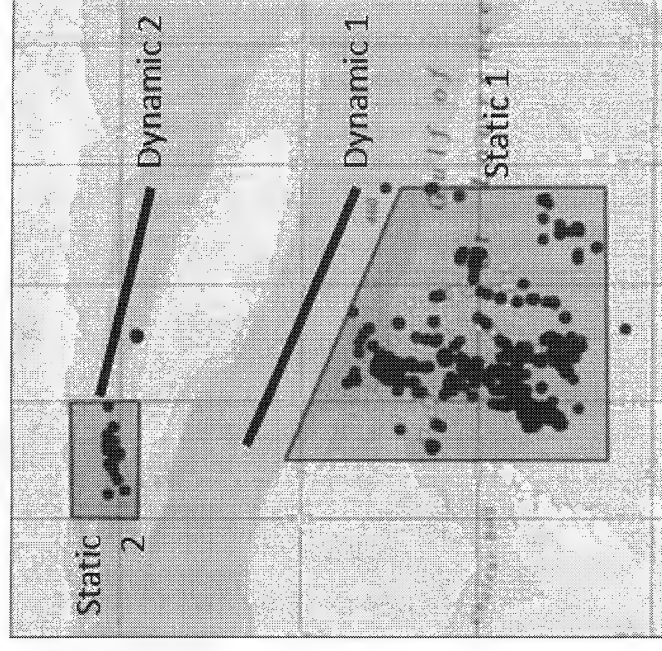
2 Modified U.S. approach Description

Static zones

- Two static zones based on aggregation areas from early April to late December; dates could be adjusted on DFO Science advice
- 10 kn speed limit mandatory for vessels 20 m or greater; voluntary for others

Dynamic zones

- Two dynamic zones in northern and southern shipping lanes early April to late December
- Slowdown activated when three whales within 75 n.m.² area are observed
- 10 kn speed limit in dynamic zones when slowdown activated for vessels 20 m or greater; voluntary for others; normal operational speed at other times
- Activated slowdown area is a 20 n.m. radius around the three whales
- Dynamic measure in force for one week, extendable by NARW presence



2 Modified U.S. approach

Key considerations

- Reflects elements of model considered by industry working group
- Lessens economic impact of slowing down since there is a possibility of operating at normal speeds more frequently
- Provides less predictability than static approach
- Very large area for monitoring (two shipping lanes over large distance), and potential multiple small slowdown areas activated at different times requiring higher frequency monitoring to support one-week cycle would present communication and operational challenges
 - Many unknowns regarding where whales could appear
 - Need to have adequate monitoring in place April-December in all Canadian waters
 - Risk to whales increases when aerial surveillance is limited by weather
 - Other technologies also have their limitations
- A more conservative approach according to current operational capacity may be required

3 Dynamic shipping lane

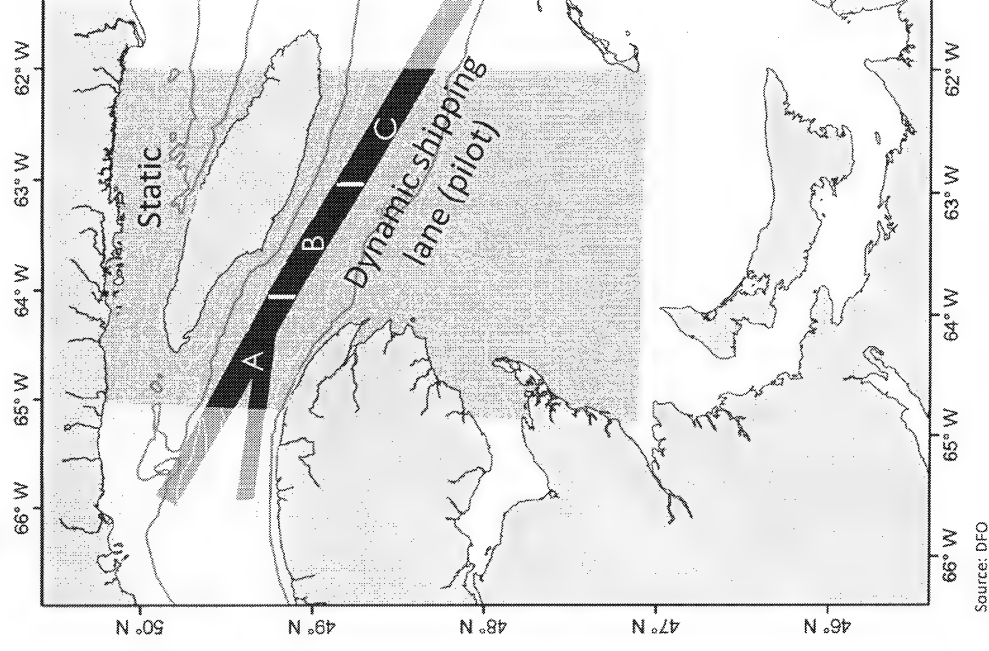
Description

Static zone

- One static zone (April-December) with a carve out for the shipping lane south of Anticosti during fair weather months
- 10 kn speed limit throughout for vessels 20 m or greater; voluntary for others

Pilot dynamic component

- Dynamic shipping lane July-September
- Shipping lane divided into sections, defining potential slowdown areas
- Slowdown activated in section when one whale is observed
- Slowdown in force for two weeks, extendable by two weeks from last sighting



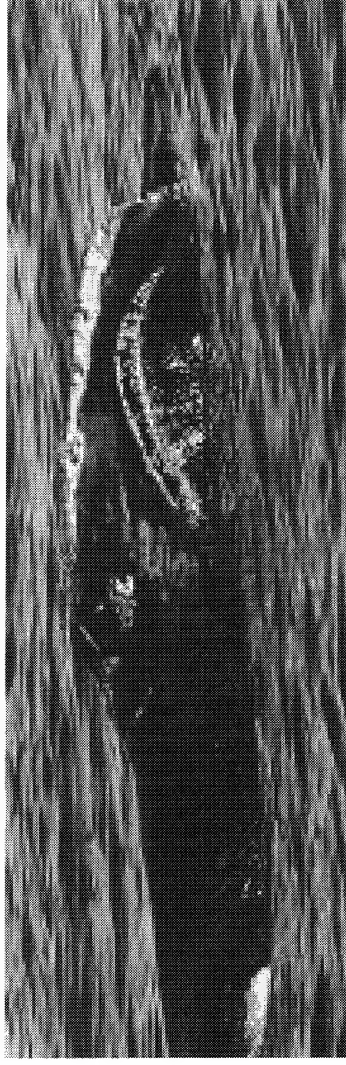
3 Dynamic shipping lane

Key considerations

- Weather conditions during summer months (July-September) optimal to reliably conduct flights
- A trigger based on the presence of a single whale is seen as more conservative than the three whale model and therefore more appropriate in the first implementation year of a dynamic system
- Given that the shipping lanes are relatively narrow, may need to consider a "buffer" area around the shipping lanes
- Simplifies dynamic monitoring by focusing on a smaller geographic area; may fit within monitoring capacity available in 2018
- Predefined sections allow for clearer communication and eases implementation of a dynamic slowdown area
- Creates a period during which economic impact of slowing down may be less
- Provides less predictability than static approach
- Additional risk over static zone, as a dynamic approach would be implemented during the expected seasonal peak for NARW presence

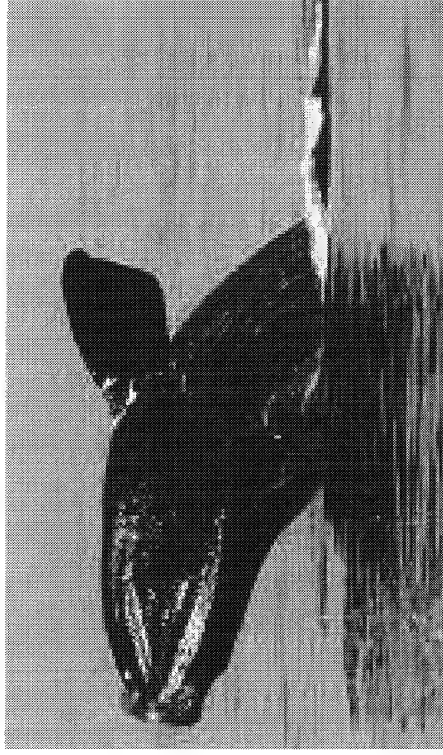
Questions for Discussion

1. Are there additional key considerations not captured by the analysis?
2. Are there further variations that merit consideration?
3. What further work can be done in 2018 to mitigate existing challenges and therefore generate more alternatives for 2019? Beyond 2019?



Next steps

- Feedback will help refine thinking for 2018 and beyond
- Engagement will be ongoing, including with
 - Marine transportation industry
 - Other non-government stakeholders
 - Provinces
- Decisions will be made as soon as possible, in time for the 2018 season



OCEANS PROTECTION PLAN

Baleines noires de l'Atlantique Nord

Approches visant à réduire les risques de collision
avec les gros navires en 2018

Ellen Burack
Directrice générale, Politique environnementale
Transports Canada



Government
of Canada

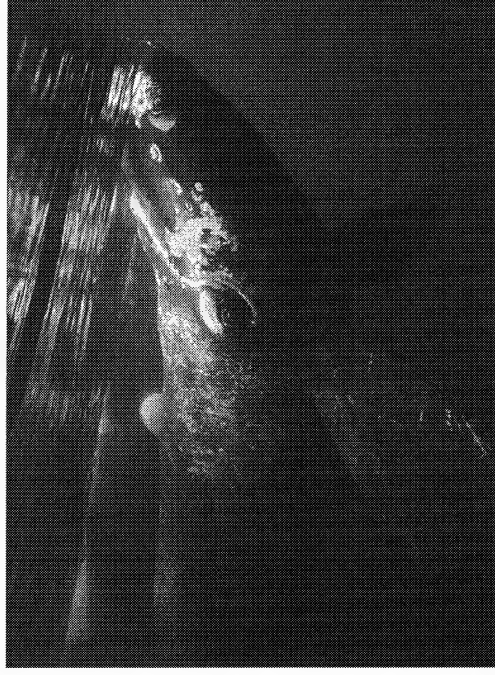
Gouvernement
du Canada

Canada

SGDDI 13737435

Objectifs

- Examiner les approches possibles d'atténuation des risques d'interaction entre les navires et les baleines dans le golfe du Saint-Laurent, advenant un retour des baleines noires en 2018
- Examiner les considérations relatives à ces approches



Généralités sur les baleines noires

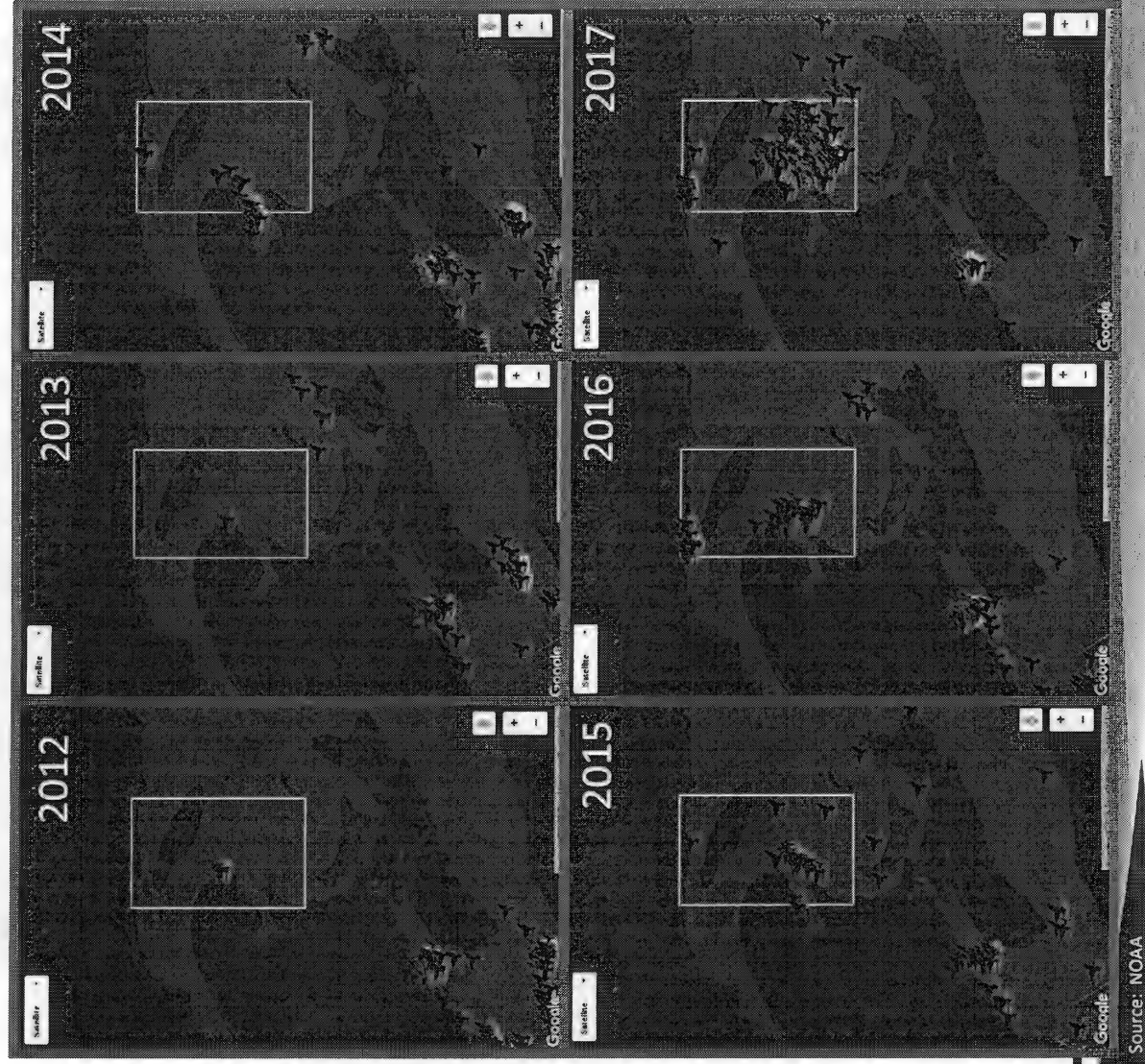
- Il s'agit d'une espèce en voie de disparition
- Il reste environ 450 individus, dont une centaine de femelles adultes
- Certains experts indiquent que si le déclin actuel se poursuit, l'espèce pourrait fonctionnellement disparaître dans 20 ans
- L'habitat de la baleine noire s'étend de la Floride à l'Islande au nord et à la Norvège à l'est
- Les deux principales causes de mortalité identifiées sont les collisions avec des navires et l'empêchement dans des engins de pêche

Relations entre navires et baleines noires avant 2017

- Historiquement, les baleines noires passaient l'été au Canada, principalement dans la baie de Fundy et le bassin Roseway
- Des années d'observation et de collecte de données ont permis
 - d'identifier le bassin Grand Manan comme zone d'habitat essentiel pour les baleines noires
 - de déplacer la route de navigation dans la baie de Fundy
 - de créer une « zone à éviter » dans le bassin Roseway, une seconde zone d'habitat essentiel pour les baleines noires
- Expérience des États-Unis
 - des années de collecte de données
 - zones de surveillance étroite à fort trafic est-ouest vers de grands ports;
 - règlements du trafic maritime introduits en 2008
 - zones de ralentissement obligatoire avec une vitesse réduite à 10 kn dans les aires de rassemblement connues des baleines noires
 - zones de ralentissement volontaire à 10 kn en dehors des aires de rassemblement, lorsque 3 baleines ou plus sont observées dans un secteur de 75 n.m.², pour une période de deux semaines, reconductible si la présence de baleines est de nouveau observée

Été 2017

- Une augmentation significative de la présence des baleines noires a été observée dans le golfe du Saint-Laurent
- Au moins 15 baleines noires ont été trouvées mortes dans les eaux de l'Atlantique, dont 12 dans les eaux canadiennes



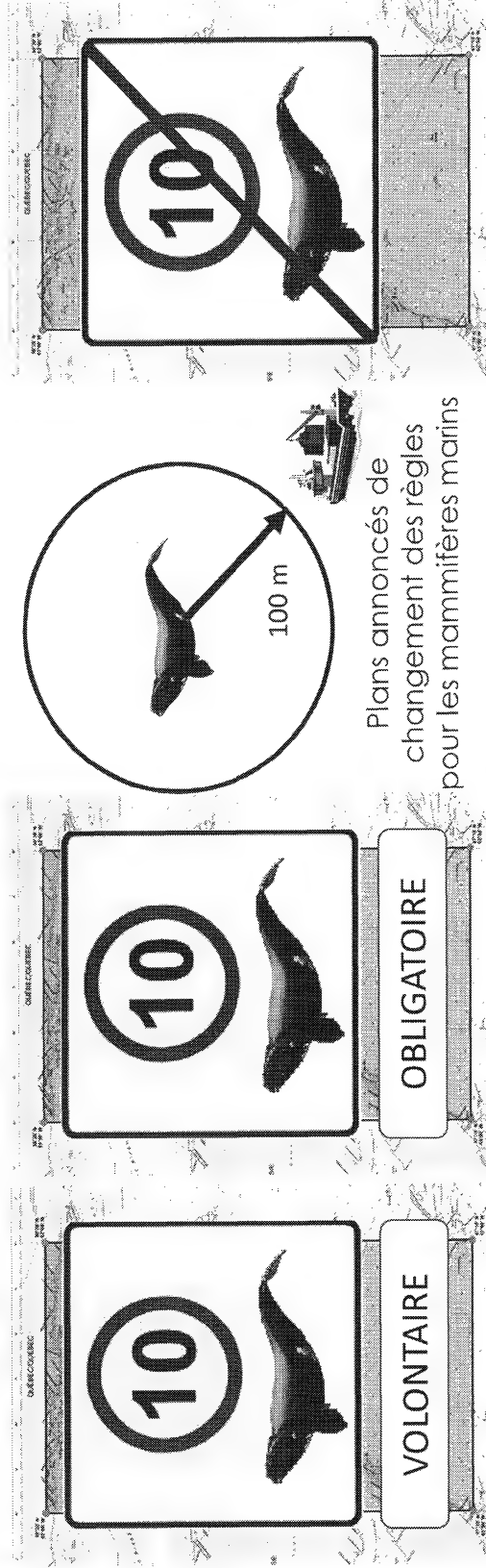
Mesures prises par le gouvernement pour réduire le nombre de collisions avec des navires

Juill.

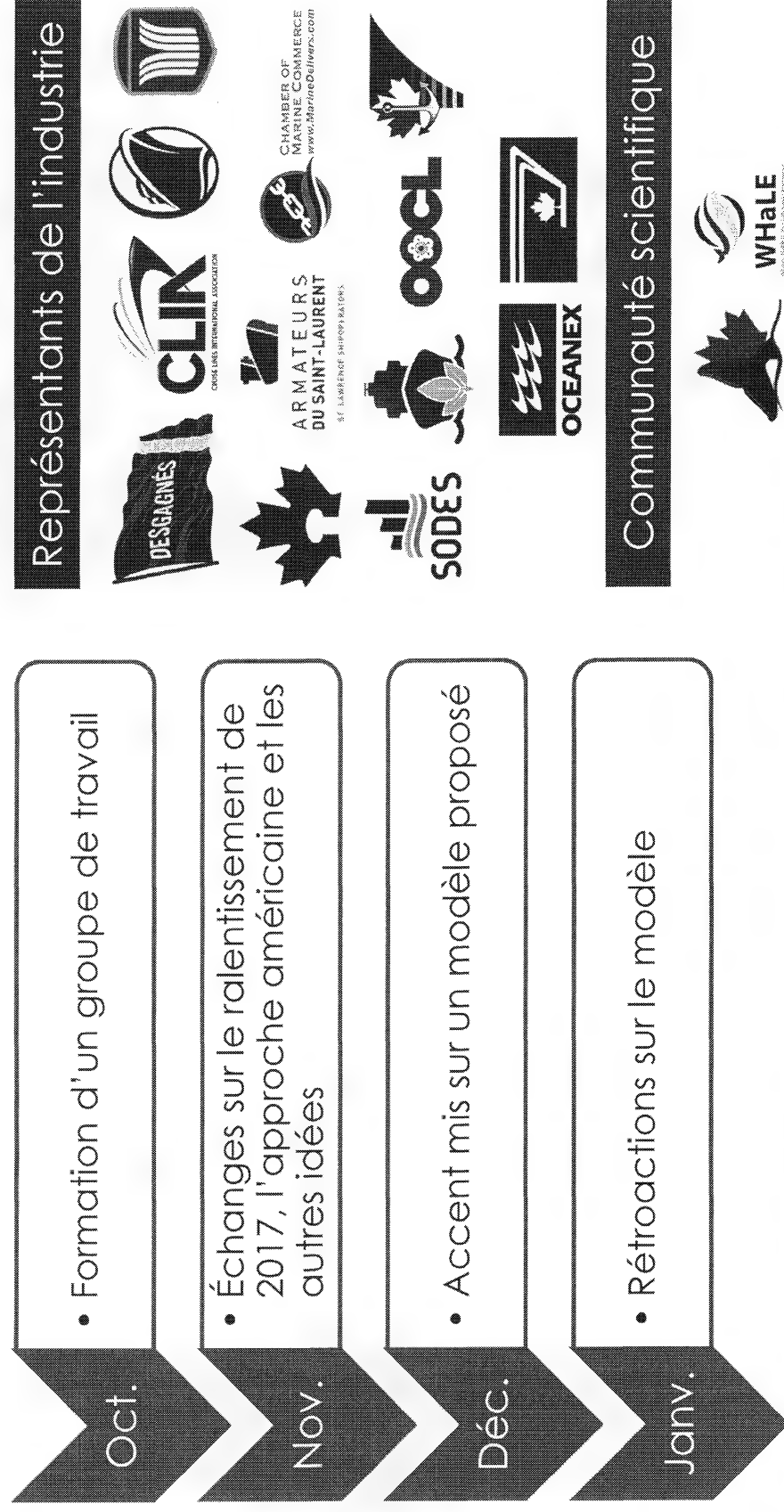
Août

Oct.

Janv.

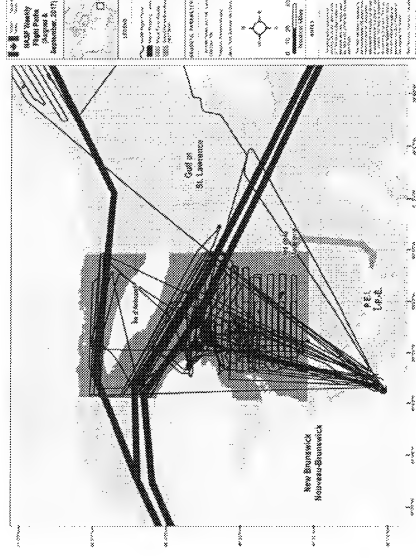
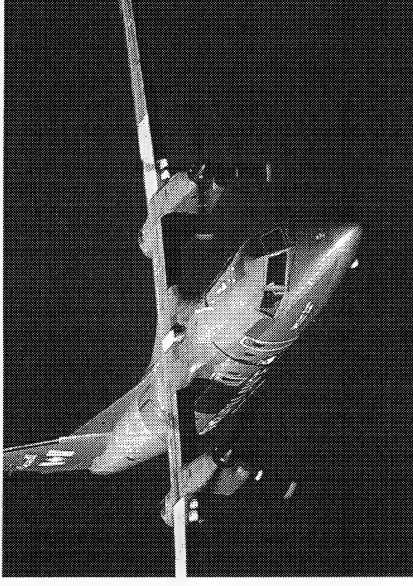


Discussions avec l'industrie du transport maritime pour explorer des options créatives



Que peut-on prévoir pour 2018?

- Bien qu'il soit probable que les baleines noires reviennent dans le golfe, il n'est pas certain que ce sera dans les mêmes zones qu'en 2017 et en quantité semblable
- Il est souhaitable trouver un bon équilibre entre la protection des baleines et les impacts sur l'industrie du commerce maritime
- En 2018, la surveillance aérienne sera le principal moyen de détection, mais elle est très dépendante de la météo
- Plus tard dans la saison, d'autres technologies pourront être expérimentées comme compléments aux efforts d'atténuation

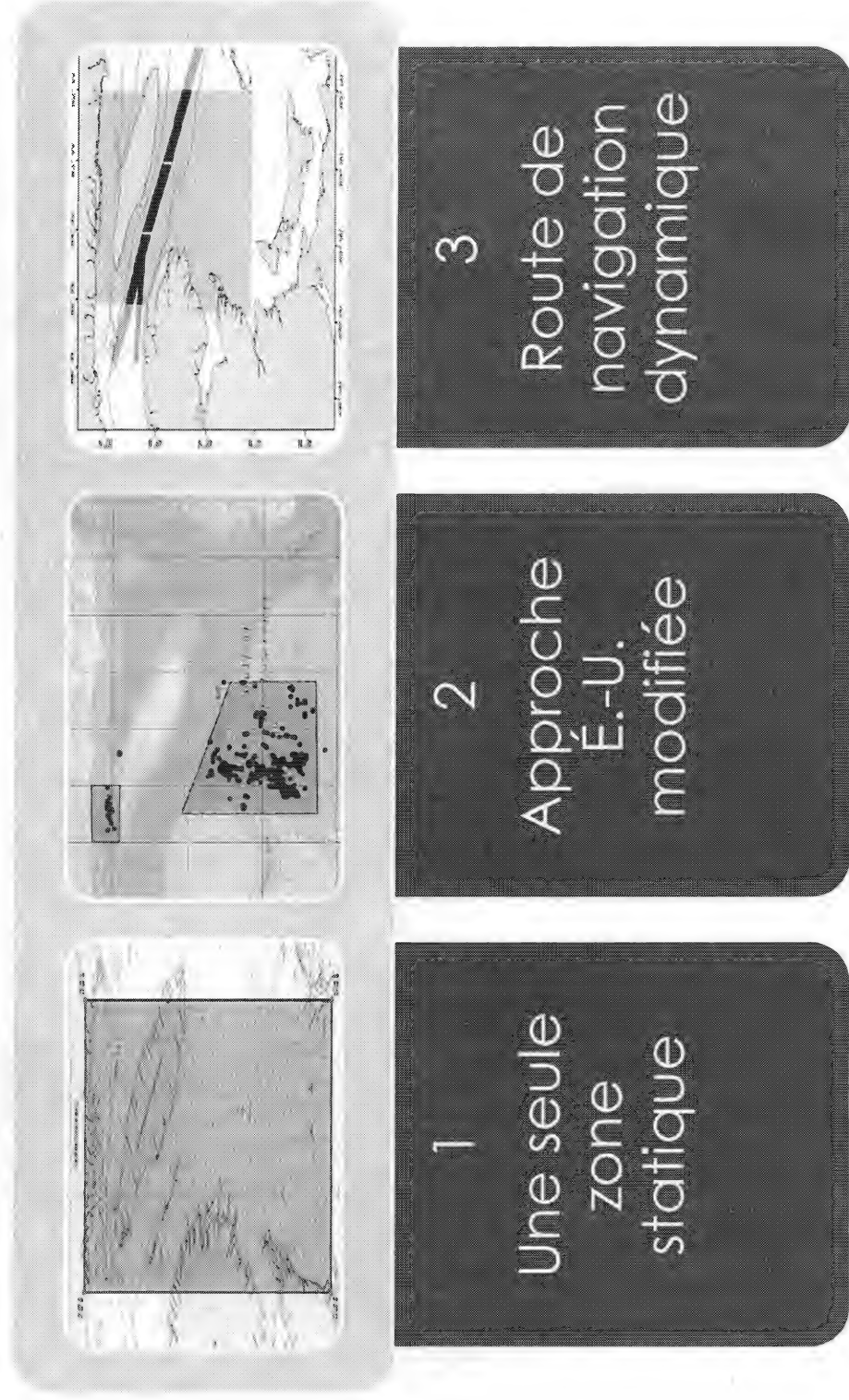


Avis du Secrétariat canadien de consultation scientifique sur le calendrier

- Les baleines pourraient être de retour dans la zone de ralentissement de 2017 vers la fin avril
- Les baleines seront présentes dans l'ouest du golfe jusqu'à la fin décembre, et même jusqu'à la mi-janvier
- Les baleines quitteront le golfe lorsque la banquise s'installera, historiquement à la mi-janvier au plus tard
- L'observation visuelle risque d'être compromise par la météo et d'autres facteurs
- Les mesures de surveillance et de conservation devraient débuter en avril; sous réserve d'avis scientifiques additionnels du MPO



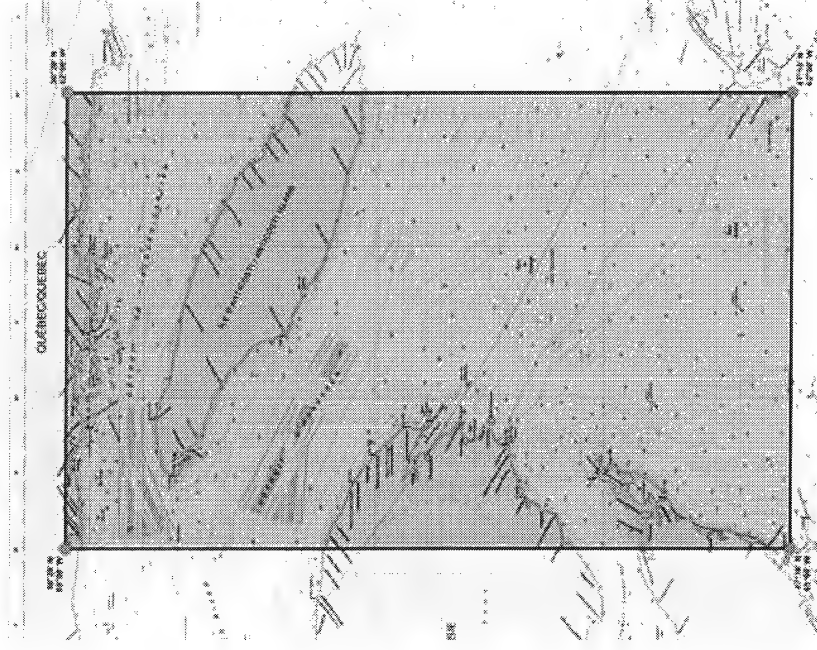
Trois options ont été analysées



1. Zone de ralentissement statique unique

Description

- Une seule zone statique dans l'ouest du golfe du Saint-Laurent
- Coordonnées semblables à celles de 2017 ou ajustées d'après les avis scientifiques
- En vigueur du début avril à la fin décembre
- Vitesse limitée à 10 kn dans la zone
- Obligatoire pour les navires de 20 m et plus, base volontaire pour les autres
- Surveillance constante dans la zone pour assurer une confirmation continue des secteurs de rassemblement et de la zone de ralentissement



1. Zone de ralentissement statique unique

Considérations clés

- Les conséquences économiques probablement semblables à celles de 2017
- Il s'agit de la meilleure protection des baleines parmi les 3 options discutées
- Preuve d'efficacité : en 2017, aucune autre baleine noire n'a été tuée dans une collision avec un navire après la mise en vigueur de la zone de ralentissement
- Le même niveau de protection peut ne pas être nécessaire dans toutes les zones
- Le fait que la zone soit statique rend relativement plus facile sa communication, sa mise en place et son respect
- Cette option convient à la capacité de surveillance de 2018

2. Approche É.-U. modifiée

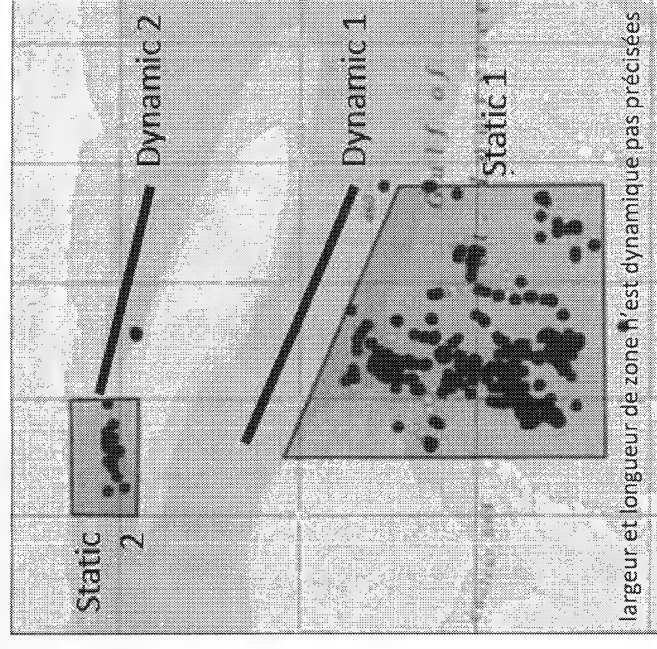
Description

Zones statiques

- Deux zones statiques basées sur les aires de rassemblement de début avril à la fin décembre; dates qui pourraient être ajustées en fonction des avis scientifiques du MPO
- Limitation de la vitesse à 10 kn obligatoire pour les navires de 20 m et plus, volontaire pour les autres

Zones dynamiques

- Deux zones dynamiques sur les routes de navigation nord et sud du début avril à la fin décembre
- Limitation en vigueur si 3 baleines sont observées dans une aire de 75 n.m.².
- Lorsque la limitation est en vigueur dans les zones dynamiques, vitesse réduite à 10 kn pour les navires de 20 m et plus; volontaire pour les autres; vitesse normale en dehors des périodes d'activation
- Limitation en vigueur dans un rayon de 20 n.m. radius autour des 3 baleines
- Mesure dynamique en vigueur pendant une semaine, reconductible si des baleines sont toujours présentes



2. Approche É.-U. modifiée

Considérations clés

- Elle reprend des éléments du modèle proposé par le groupe de travail de l'industrie
- Elle réduit les impacts économiques du ralentissement, car la vitesse normale peut être maintenue plus souvent
- Elle est moins prévisible que l'approche d'une zone statique
- Très vaste secteur à surveiller (deux couloirs sur une grande distance) et possibilité de multiples petites zones de ralentissement activées à des moments différents. Fréquence de surveillance importante pour permettre le cycle d'une semaine, ce qui posera des problèmes de communication et des défis opérationnels
 - nombreuses incertitudes sur les endroits où des baleines pourraient apparaître
 - surveillance accrue d'avril à décembre dans toutes les eaux canadiennes
 - risques accrus pour les baleines lorsque la surveillance aérienne sera limitée par les conditions météorologiques
 - limitations normales des autres technologies de surveillance
- La capacité opérationnelle réelle imposera peut-être une approche plus prudente

3. Route de navigation dynamique

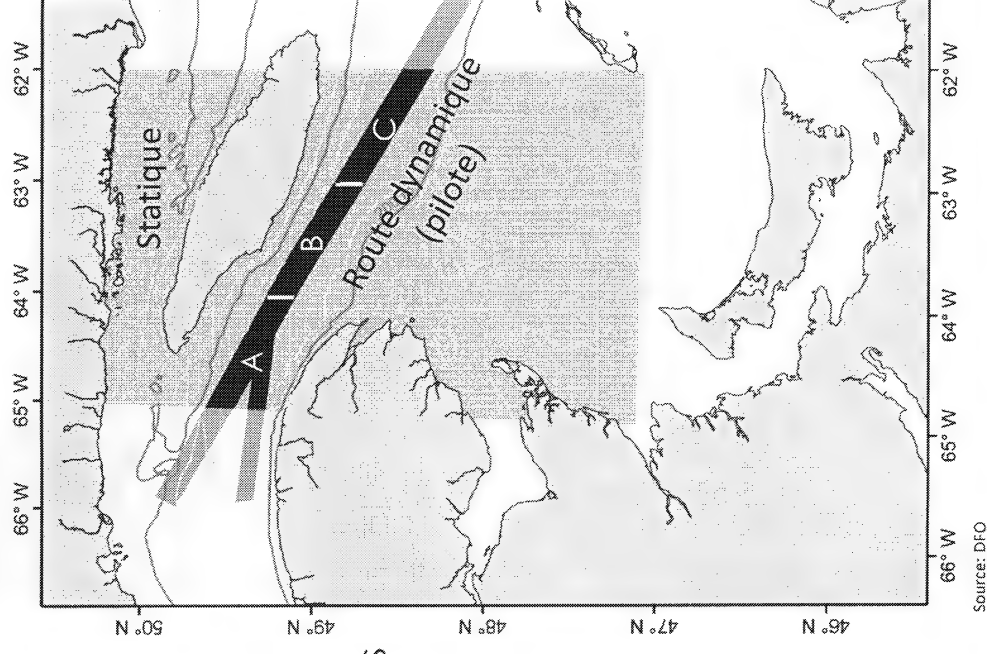
Description

Zone statique

- Une zone statique (avril à décembre) empiétant sur la route de navigation au sud d'Anticosti sera en place pendant les mois d'été
- Vitesse réduite à 10 kn, obligatoire pour les navires de 20 m et plus; volontaire pour les autres.

Route dynamique (projet pilote)

- Route dynamique entre juillet et septembre
- Route divisée en sections, pouvant faire l'objet de ralentissements périodiques
- Ralentissement en vigueur dans une section lorsqu'une baleine y est observée
- Ralentissement en vigueur pendant deux semaines, reconductible à partir de la dernière observation



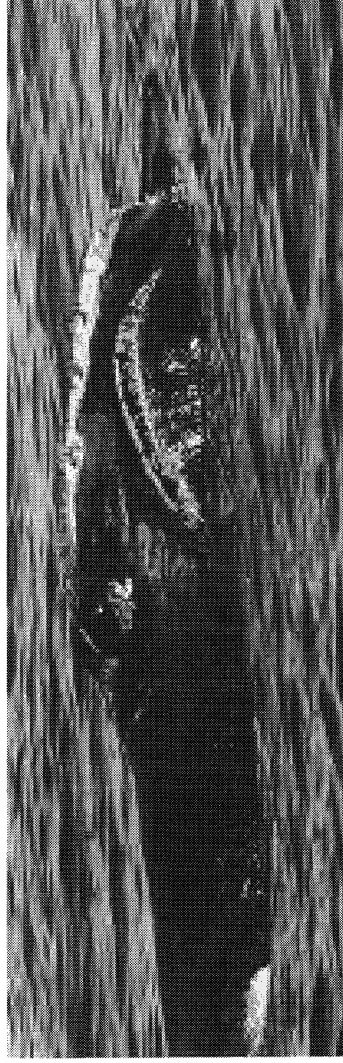
3. Route de navigation dynamique

Considérations clés

- Les conditions météo au cours des mois d'été (juillet à septembre) sont optimales pour les vols et la fiabilité de l'observation aérienne
- Le critère de déclenchement sur la présence d'une seule baleine est plus conservateur que le modèle de trois baleines et convient mieux pour la première année de mise en œuvre d'un système dynamique
- Comme les routes de navigation sont relativement étroites, il faudra peut-être prévoir des « lisières tampons » de part et d'autre de la route
- La surveillance dynamique est simplifiée par la petite taille de l'aire géographique à observer; convenant mieux à la capacité d'observation disponible en 2018
- Les sections prédéfinies permettent des communications plus claires et facilitent la mise en vigueur des zones de ralentissement dynamiques
- L'approche crée une période durant laquelle l'impact économique du ralentissement pourrait être moindre
- Cette option est moins prévisible que l'approche statique
- Risque plus grand dans la zone statique, car l'approche dynamique serait en vigueur pendant la période de présence accrue de la baleine noire de l'Atlantique Nord.

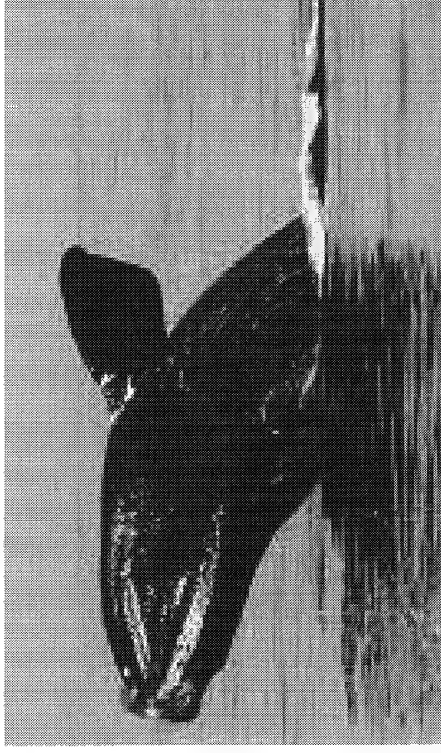
Questions pour la discussion

1. Y a-t-il d'autres considérations clés dont l'analyse ne tient pas compte?
2. Existe-t-il d'autres variantes méritant d'être étudiées?
3. Quels autres travaux pourrait-on entreprendre en 2018 pour répondre aux défis identifiés et qui pourraient déboucher sur d'autres solutions pour 2019? Et au-delà?



Prochaines étapes

- Vos commentaires aideront à affiner les perspectives pour 2018 et au-delà
- Notre engagement sera continu, notamment auprès
 - de l'industrie du transport maritime
 - des autres intervenants non gouvernementaux
 - des provinces
- Les décisions seront prises dès que possible, à temps pour la saison 2018



Pages 251 to / à 280
are not relevant
sont non pertinentes

Merriman, Catherine B

From: Moors-Murphy, Hilary
Sent: February-20-18 4:24 PM
To: Surette, Dwayne E; Sweet, Marilyn; Merriman, Catherine B; Cheney, Sarah; Penny, Lorne
Cc: Higginson, Simon; Niven, Sherry; Vanderlaan, Angelia S.
Subject: RE: static closures

Hi Marilyn,

In answer to your first question: "I was wondering if a) science sees any merit in static closures in those areas as a means of reducing risks to RWs?" This is answered in the recommendations of the Science review on the effectiveness of recovery measures and recommended next steps is here: <http://www.dfo-mpo.gc.ca/species-especes/whalereview-revuebaleine/review-revue/narightwhale-baleinenoirean/page01-eng.html>. Note that this review is not formal science advice (ie., it is not a CSAS document nor is it formally peer-reviewed), but it does review the available literature and make recommendations based on readily available information.

You should pay particular attention to Section 8 outlines threat-based recommendations to reduce risk, including risk of entanglement. Some statements pulled from the text in this section/Table 5:

"In most cases, the most effective recovery activity would be to remove the threat from areas where North Atlantic right whales are present - i.e., spatiotemporal avoidance (Table 4)."

"Many knowledge gaps remain about fishing-gear entanglements, such as the mechanisms of entanglement, the level of threat associated with each type of line in fixed fishing gear (e.g., groundlines versus endlines), and the threat level associated with different fisheries. **Nonetheless removing fishing activities from the Grand Manan and Roseway Basin critical habitats when the whales are present (i.e., spatiotemporal closures) would reduce the risk of lethal fishing-gear entanglements as demonstrated in previous studies (Vanderlaan et al. 2011; Brillant et al. 2017).**" Note that this statement is supported by scientific literature.

The first two items listed under reducing fishing gear entanglement risk in Table 5 are: "Remove fishing gear from critical habitats by implementing spatiotemporal closures to fishing activities in critical habitats when North Atlantic right whales are present." and "Remove fishing gear from other high-use areas by implementing spatiotemporal closures of fishing activities when North Atlantic right whales are present"

Hilary

From: Surette, Dwayne E
Sent: Tuesday, February 20, 2018 11:50 AM
To: Sweet, Marilyn; Merriman, Catherine B; Moors-Murphy, Hilary; Cheney, Sarah; Penny, Lorne
Cc: Higginson, Simon; Niven, Sherry
Subject: RE: static closures

A closure for the Roseway Basin during the months of April and May would impact lobster fishers from LFA 33 and 34. I am not sure how many fisherman would be impacted.

Dwayne Surette

Area Chief, Resource Management, SWNS
Phone/Tél: (902) 742-0859

From: Sweet, Marilyn
Sent: 2018-February-20 11:42 AM
To: Merriman, Catherine B; Moors-Murphy, Hilary; Surette, Dwayne E; Cheney, Sarah; Penny, Lorne
Cc: Higginson, Simon; Niven, Sherry
Subject: static closures
Importance: High

Hi there,

At a meeting in NHQ the last week of January the idea of static closures for some areas in Maritimes was raised. This was raised for TC as well in the Gulf as they are looking at static, as well as dynamic closures in some shipping corridors. The following was sent in the minutes from the meeting:

Static Closures

Static closures from during peak migration period (April-November) could be considered for critical habitat areas such as Roseway and Grand Manan Basin. A 10 knot speed restriction would be implemented.

I was wondering if a) science sees any merit in static closures in those areas as a means of reducing risks to RWs? And b) who in the fisheries would be impacted by static closures in those areas? Can you let me know asap as NHQ is looking for a response to the ADM on this? I know Hilary is out so I'm copying Sherry and Simon in.

Thanks everyone. Sorry for the quick request but I just received the call on it now.
Mar

Marilyn Sweet
Senior Advisor | Conseillère principale
Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada |
Pêches et Océans Canada
1 Challenger Dr | 1 promenade Challenger
PO Box 1006 | C.P. 1006
Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2
(902)-221-7269
Marilyn.Sweet@dfo-mpo.gc.ca

Dunn, Patricia

From: Potter, Ted
Sent: February-22-18 11:04 AM
To: Buie, Jennifer
Cc: Waters, Christa; Sweet, Marilyn
Subject: NARW_table_DRAFT1 (3).docx
Attachments: NARW_table_DRAFT1 (3).docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Jen,

Attached is the NARW table of 2018 proposed management measures for the Maritimes Region. We will be requiring both "mandatory reporting of fishing gear" and "mandatory reporting of interactions with marine mammal". Discussions on static closures for Roseway Basin and Grand Manan Basin are also underway and may very well be delivered in 2018. Sara Quigley indicated that she will be discussing a static closure with the Hagfish Advisory Committee next week in the Roseway Basin, likely in the Summer months. Variation Orders will be used when and where required.

Ted

Ted Potter

Regional Manager, Resource Management | Gérant régionale, gestion des ressources
Fisheries Management | Gestion des pêches
Maritimes Region | Région des Maritimes
Fisheries & Oceans Canada | Pêches et Océans Canada
Ph/Tél: (902) 456- 4090

Pages 284 to / à 289
are not relevant
sont non pertinentes

Dunn, Patricia

From: Potter, Ted
Sent: February-22-18 4:39 PM
To: Daley, Annette
Cc: Waters, Christa; Buie, Jennifer; Jenkins, Randy; Sweet, Marilyn; Berthier, Jacinta; Macdonald, Claire
Subject: FW: URGENT - GULF WHALE MITIGATION - DM Briefing INFO

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Annette,



NARW_table_Ma... Proposed_DFO_...

Attached is the proposed management measures table. The sequential numbering of gear is being implemented in certain fisheries in the Gulf and we will have discussions with our committees on doing something similar, but that will likely be 2019. Also, we are working with industry, where possible, to tighten up floating lines, this is difficult to due given tidal ranges in the Gulf of Maine – Bay of Fundy area and for sea states on the Scotian Shelf, nevertheless we are working with industry to lessen floating lines in the water. In the table, you will note that we struck though fisheries that occur in tidal waters and we added fisheries that were not on the original list. I would caution that this still needs work and it should be used for illustrative purposes.

Also, we had a lengthy discussion on static closures on the critical habitat for the North Atlantic Right Whale this afternoon. As the Senior Advisor for Marine Mammals is out of the office today and I have not run this by Science... I tried to get a sense of seasonal presence of NARW in our waters. I used the NOAA web mapping tool to get a sense of the timing of observations in the Grand Manan and Roseway Basin areas.

While there is potential for what is called “observer bias” , you only see animals when and where you are looking vs a random stratified survey method. There are enough observations within a mid-July to mid-October timeframe to warrant consideration of static closures in both critical habitat areas. I would caution that the number of observations in either zone has dropped considerably over the last 2 years and while I suspect that the database may not be up to date, there appears to have been only one sighting of a NAWR in Roseway Basin in June 2016 and I am aware of a sound recording of one in December 2017.

I would recommend that we engage industry on static closures in these two areas for the coming season during this time period (mid-July to mid-October).

What would be very useful from Science would be the ability to identify early and at a fine enough resolution of prey sources. For Dynamic Closures this would allow for a lead indicator (there's food) vs a lag indicator (there's whales in the same area as fishing gear). It would also be helpful to have an entanglement risk assessment for different gear types on a temporal scale (by month, or bi-weekly), I understand that I request for such Science advice was submitted a couple of years ago, but Science has not had the capacity to undertake this work, including data sources. This will take work and we will only have advice once a research program is developed and implemented. Science is working on this...

Ted

Ted Potter

Regional Manager, Resource Management | Gérant régionale, gestion des ressources
Fisheries Management | Gestion des pêches
Maritimes Region | Région des Maritimes
Fisheries & Oceans Canada | Pêches et Océans Canada
Ph/Tél: (902) 456-4090

From: Buie, Jennifer
Sent: 2018-February-22 1:44 PM
To: Jenkins, Randy; Blanchard, Tony; Potter, Ted; LeCouffe, Marc; Gros-Louis, Denis; Sylvestri, Nicholas
Cc: Waters, Christa
Subject: RE: URGENT - GULF WHALE MITIGATION - DM Briefing INFO

Hi all,

Here are a couple of documents we'll be discussing. Please forward on to any that may be attending.

-----Original Appointment-----

From: Jenkins, Randy
Sent: February-22-18 10:17 AM
To: Jenkins, Randy; Blanchard, Tony; Potter, Ted; LeCouffe, Marc; Gros-Louis, Denis; Buie, Jennifer; Sylvestri, Nicholas
Subject: URGENT - GULF WHALE MITIGATION - DM Briefing INFO
When: February-22-18 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: Teleconference

Teleconference: 1-877-413-4790
Conf ID [REDACTED]

URGENT

There is a briefing planned for the DM of TC and DFO for Monday. We are developing a higher level deck explaining the general DFO plan for 2018. We will have a draft available for the call but we really need to wrestle down a few bits of info and facts from the regions to finalize this today and get it into approvals tomorrow. We also need to spend a few minutes discussing the broader plan to is being written to link in the regional components. Apologies for the short notice but the timelines are tight. If there is anyone specific working on this feel free to invite.

Also, the ADM yesterday asked that I set up a standing weekly call to focus on WHALES and progress on planning in the regions (this will be done separately). We will discuss further today.

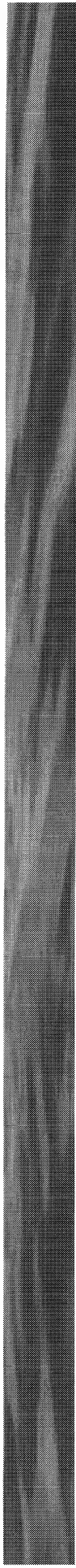
Thanks.

Pages 292 to / à 297
are not relevant
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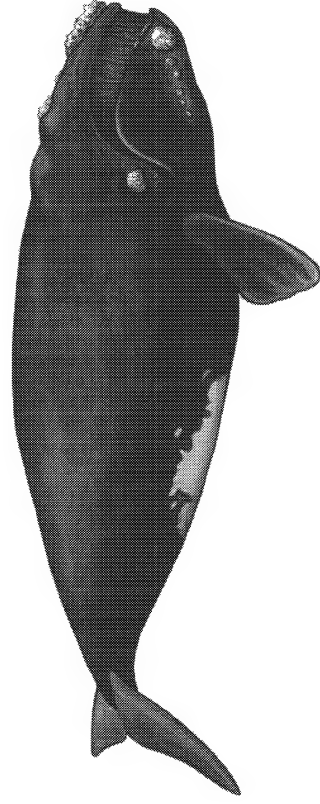


Fisheries and Oceans
Canada

Pêches et Océans
Canada



Proposed Mitigation Measures for North Atlantic Right Whales



Canada



Objective & Context

Objective:

- To provide an update on the management measures proposed by Fisheries and Oceans Canada (DFO) to protect North Atlantic Right Whales (NARW).

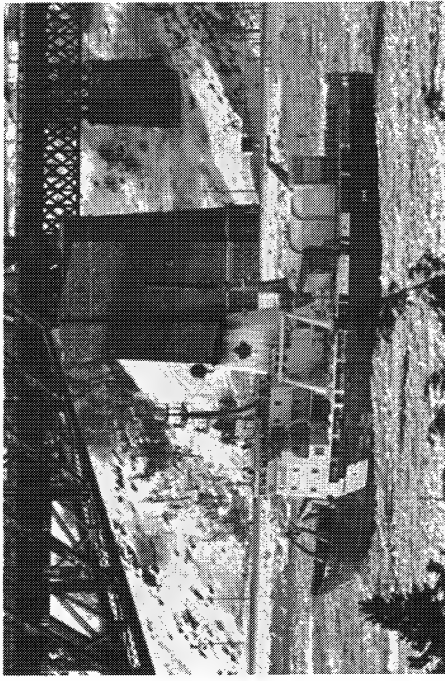
Context:

- In response to the unprecedented mortality event that occurred in 2017, DFO has made it a top priority to reduce risks to NARWs.
- Fishery component is complex, with many variables to consider such as geographic scope, monitoring requirements and gear characteristics.
- Proposing a “toolbox approach” where regional fisheries managers would have measures available to apply when needed.
- Industry is motivated to initiate and adopt measures to avoid interactions to maintain access to key markets.
- Planned mitigation efforts for 2018 are significantly improved as a result of heightened engagement with industry and internal coordination amongst DFO sectors.



Pre-Season Activities

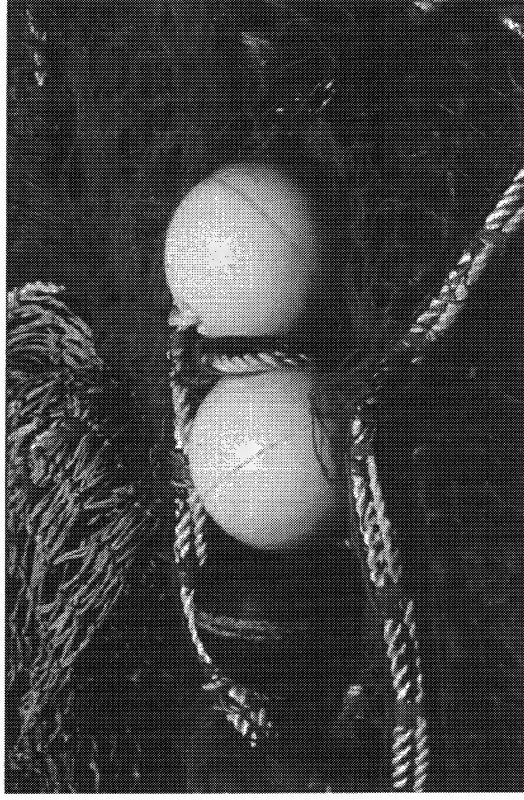
- Pre scheduled flights to determine NARW presence before fisheries open, as part of regular Science overflights and/or via C&P assets.
- Opening of certain fisheries early as conditions become favourable and safe, enabling fleets to fish before NARWs are present.
- Education and awareness would target respective internal and external partners:
 - whale identification;
 - how to report (e.g., phone, email, radio, etc.);
 - improving the quality of reports through established criteria (e.g., picture, description and coordinates).





Pre-Season “Gear-up”

- Implementing measures and licence conditions for fisheries that pose the greatest risk of interacting with NARWs:
 - a ban on floating fishing line;
 - maximum distance between a principle and secondary buoy;
 - sequential numbering of buoys;
 - mandatory reporting of lost fishing gear;
 - mandatory reporting of interactions with marine mammals.
- Southern Gulf crab fishery will also be piloting gear marking.





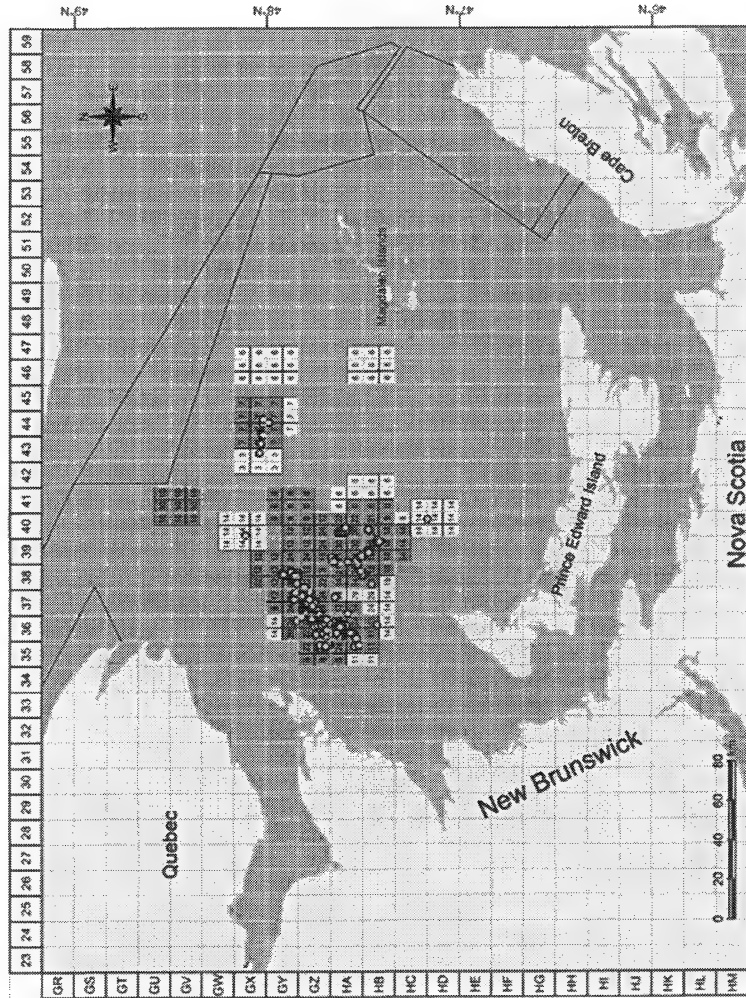
In-Season Measures Considered

- Voluntary gear reduction (e.g. crab pots):
 - To be discussed at Southern Gulf Crab Advisory meeting February 27-28
- Surveillance and sightings:
 - Aerial surveillance would be the key method to verify NARW presence
 - Considering opportunistic sightings from vessels (e.g. Canadian Coast Guard, Conservation and Protection)



Potential In-Season Dynamic Closure

- A dynamic management area (DMA) could be triggered if three of more NARWs, or a mother and her calf, are verified by aerial surveillance in a predetermined grid size (i.e.).
- Grid system already in place for soft shell crab; can be adapted for DMA.
- Implementing a DMA would result in a 15x15 nautical mile closure of a fishing area for fifteen days.
- At least two aerial surveillance flights in good conditions during the second week of the fifteen day period would be required to confirm if NARWs are no longer present.
- Fish harvesters would have set amount of time (e.g. 72 hours) to remove gear from the zone.
- Dynamic Management is to the fishers' benefit since whole fishery will not be closed and fishing activity continues in other areas



Graph is for illustration purposes only.
Dots are confirmed whale sightings.
Red represents closed area.
Yellow would signal to harvesters to be cautious as whales in adjacent zones.

Canada



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Questions / Discussion

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: February-26-18 10:03 AM
To: Buie, Jennifer; Burns, Adam; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; King, Rhea L; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Valkenier, Mary-Ellen; Vézina, Alain; Vincent, Patrick; Wentzell, Doug; Winfield, Nicholas; Stewart, Julie; Jenkins, Randy; Veilleux, Christopher; Westhead, Maxine; Richard, Jackey; Jackson, Ashley
Cc: Daley, Annette; Rossignol, Pauline; Butler, Annette; Neary, Lynn; Hébert, Linda M; Bellfo, Elyse; Couturier-Dubé, Geneviève; Bois, Lucie; Richard, Tina; Snow, Anne E
Subject: Materials: ASC for NARW Feb 28 / Matériels : CDA pour BNAN le 28 févr
Attachments: 1a - (EN) Agenda - ASC for NARW Feb 28 2018.docx; 1a - (FR) Agenda - ASC for NARW Feb 28 2018.docx; 1b - (EN) RoD - ASC for NARW Feb 14 2018 (draft 2018-02-15).docx; 1b - (FR) RoD - ASC for NARW Feb 14 2018 (draft 2018-02-15).docx

(La version française suit)

Good morning,

Attached is the agenda for the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on February 28, 2018, and the Record of Discussion from the meeting on February 14, 2018.

These documents and materials from previous meetings are now available on GCconnex. Committee members should receive an invitation this morning to join the GCconnex group called *Atlantic Steering Committee for North Atlantic Right Whale*. Please contact me if have any questions or problems when joining this group or downloading materials. Also, please let me know me if you would like to include other people, e.g., your assistant or staff members working on NARW. Thank you.

Vous trouverez ci-joint l'ordre du jour pour la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 28 février 2018, et le compte rendu de la réunion le 14 février 2018.

Ces documents et les matériels des réunions précédentes sont maintenant disponibles sur GCconnex. Les membres du comité devraient recevoir une invitation ce matin pour joindre le groupe de GCconnex appelé *Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord*. Contactez-moi s'il vous plaît si vous avez des questions ou des problèmes en joignant ce groupe ou en téléchargeant des matériels. Aussi, faites-moi savoir si vous voudrez que d'autres personnes soient incluses, par exemple, votre adjointe administrative (certains sont déjà inclus) ou des membres du personnel travaillant sur la BNAN. Merci.

Bonne journée.

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

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Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

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Agenda

Atlantic Steering Committee for the North Atlantic Right Whale (NARW)

February 28, 2018, 11:00 am – 12:30 pm AST

Teleconference: 1-877-413-4781 Code: [REDACTED]

Ron Trites Boardroom, 4th floor, Polaris Building, BIO

	TIME	TOPIC	PRESENTER
1	11:00 – 11:05	Welcome and Introductions Review of Record of Discussion from the meeting on February 14, 2018	Mary-Ellen Valkenier, Regional Director General, Maritimes Region
2	11:05 – 11:25	Budget 2018 <ul style="list-style-type: none"> Initial review of budget allocations related to whales and processes to access funding in a timely way to implement operational plans for April 2018 	Christopher Veilleux, Senior Director, Financial Management Advisory Services
3	11:25 – 11:40	Research, Risk Assessment and Monitoring <ul style="list-style-type: none"> Update on surveillance plans to support proposed management measures for the spring of 2018 Update on the Canadian Science Advisory Secretariat's review of requests for advice 	Louise Laverdure, A/Director General, Ecosystem Science Jean Landry, Director, Fish Population Science Alain Vézina, Regional Director, Science, Maritimes Region
4	11:40 – 11:55	Vessel Interactions <ul style="list-style-type: none"> Update on DFO and Transport Canada's meeting on February 19, 2018, to identify a recommended option to mitigate risks from shipping interactions Update from the working group developing options to mitigate risks of potential shipping interactions in areas outside the slow-down box in the Gulf of St. Lawrence 	Patrick Vincent, Regional Director General, Quebec Region Nicole Bouchard, Regional Director, Ecosystems Management, Quebec Region Ellen Burack, Director General, Environmental Policy, Transport Canada Julien Gaudet, CCG Marine Communications Traffic Services, Superintendent
5	11:55 – 12:10	Fisheries Interactions <ul style="list-style-type: none"> Update on the development of fisheries management measures to mitigate risks to NARW across Atlantic Canada (including the development of a strategy/crosswalk document and Trigger Response Flow Chart) 	Adam Burns, Director General, Fisheries Resource Management, NHQ Doug Wentzell, Regional Director, Fisheries Management, Maritimes Region Frank Quinn, Regional Director, Fisheries and Aquaculture Management, Gulf Region
6	12:10 – 12:25	Marine Mammal Response <ul style="list-style-type: none"> Update on the development on zonal protocols following the meeting with the Marine Mammal Coordinators in February Update on DFO's meetings with the Canadian Marine Animal Response Alliance about possible projects for next fiscal year 	Serge Doucet, Regional Director General, Gulf Region Adam Burns, Director General, Fisheries Resource Management, NHQ Darren Goetze, Director General, Conservation & Protection, NHQ



7	12:25 – 12:30	Other Updates: <ul style="list-style-type: none">• Update on the release of the “What We Heard” report from the Let’s Talk Whales public engagement sessions (if released)	Julie Stewart, Director, Integrated Species at Risk
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Forward Agenda (for March 14, 2018):

- Coordination of briefing notes to the Ministers of DFO and Transport Canada regarding the overall approach to mitigating risks to NARW
- Discussion of the Atlantic Steering Committee’s linkages with, and federal representation on, external groups and international groups working on NARW recovery and threat mitigation issues



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on February 14, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Associate Regional Director General (Chair)
Doug Wentzell	Regional Director, Fisheries Management
Maxine Westhead	A/Regional Director, Ecosystems Management
Darlene Smith	A/Regional Director, Science
Donald Humphrey	A/Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Serge Doucet	Regional Director General
Frank Quinn	Regional Director, Fisheries Management
DFO Quebec Region	
Patrick Vincent	Regional Director General
DFO Newfoundland and Labrador Region	
Robert Lambert	Director, Oceans Management
Canadian Coast Guard, Atlantic Region	
Julien Gaudet	Superintendent, Marine Communications and Traffic Services
Trevor Hodgson	Superintendent, Icebreaking Program
Jean-Francois Joly	Regional Director, Navigational Programs
DFO National Headquarters	
Louise Laverdure	A/Director General, Ecosystem Science
Jean Landry	Director, Fish Population Science
Darren Goetze	Director General, Conservation & Protection
Randy Jenkins	A/Senior Director, Integrated Resource Management, DFO NHQ
Corina Busby	Manager, Biologist, Integrated Species at Risk
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies

	TOPIC	LEAD
1.	Welcome and Introductions Review of Record of Discussion	Annette Daley
	The Record of Discussion from the meeting on January 31, 2018, was circulated earlier by email. Any further comments can be sent to Sheila Prall Dillman by February 16, 2018. It will then be considered final.	



s.21(1)(b)

2.	Research, Risk Assessment and Monitoring	Louise Laverdure Jean Landry
	<ul style="list-style-type: none">Jean Landry provided an update that the NARW Coordination Working Group had developed options for hiring marine mammal observers to record marine mammal sightings on the surveillance flights. A detailed plan around the number of flights and observers will be developed when the results of the procurement process are known, likely at the end of March. However, the observers will need to be hired and trained before then to be ready to fly in April.The options for observers were discussed with the Regional Directors of Science recently and will be discussed with the Assistant Deputy Minister today to decide on next steps. One of the options is to hire people, Science is asking to hire new staff to avoid taking scientists away from other priority work. The observers would survey for all marine mammals (not only NARW) to make the best use of the resource and to respond to other priorities such as the requirements of the <i>Marine Mammal Protection Act</i>. The planned surveys go beyond the strict mandate of Science but they are trying to integrate approaches to give the best information to the Government of Canada for decision-making.The working group has outlined the costs of each of the options. The costs may exceed the funds available in Budget 2018 and Science will need to seek other funding. Patrick Vincent advised that he had flagged for the Chief Financial Officer that the costs for surveillance would be a financial pressure so that it could be considered in the budget exercise. Annette Daley encouraged Science and others working on NARW to submit concrete proposals in writing to the Chief Financial Officer as soon as possible to be considered in the process for accessing the Deputy Minister's reserve fund.	
3.	Fisheries Interactions	Doug Wentzell Randy Jenkins Trevor Hodgson
	<p><i>Fisheries Resource Management (FRM)</i></p> <ul style="list-style-type: none">As noted at the last meeting of the ASC, FRM held a meeting on January 30, 2018, to discuss the fisheries management measures that each of the regions are working on. This assisted the regions in moving closer together for consistency and in identifying issues specific to each region. FRM is continuing to develop a cross-walk document to show the management measures across the regions.FRM is also working to implement licence conditions across all commercial and communal commercial fisheries for mandatory reporting of lost fishing gear. There is some media interest in this requirement.Also at the last meeting of the ASC, there was agreement to set up a working group to identify options for in-season decision-making processes for fisheries and shipping. The committee provided suggested participant names to Doug Wentzell and Wendy Williams. <p>Doug Wentzell and Randy Jenkins provided an update that FRM in Ottawa is working with the regions to develop a flow chart for responding to triggers (e.g., certain number of whales sighted within certain distance of fishery) for fisheries management measures. The flow chart will explain procedures such as who is contacted, what forms to use, how the CCG is notified, how a Variation Order is issued, when Communications becomes involved, etc.</p> <p>employees will follow the standard operating procedures and it will not be necessary to convene a committee each time there is a trigger.</p> <p>FRM will continue to coordinate this work with the regions (rather than establishing a working group). Doug Wentzell will keep the list of suggested working group participants as a small group may be brought together later to review and work out the details of the flow chart. (A draft Trigger Response Flow Chart was circulated to the committee following this meeting.)</p>	



	<p><i>Canadian Coast Guard (CCG)</i></p> <ul style="list-style-type: none">• Trevor Hodgson provided an overview of the CCG's capacity, requirements and key considerations in relation to ice breaking and search and rescue operations for the crab fishery to potentially open early in the Baie de Chaleur. (See presentation distributed for this meeting.)• The CCG's key consideration is the safety of the fishers (e.g., ensure the transit routes are also clear and the wind will not push ice back in) and the safety of other marine users (e.g., bring bulk carriers into port). Based on the current projections for ice in the Gulf of St. Lawrence, the CCG may have a Hovercraft on site for icebreaking on March 30, 2018, but this is very dependent on weather and winds. Overall, it is unlikely the CCG will be able to open the fishery earlier than normal but the CCG is doing everything it can to be ready if conditions allow.• Serge Doucet noted the crab fishery opened last year on April 27, 2017. If the fishery opens three weeks earlier this year (on March 30th), and with a lower quota, it will be an important consideration in mitigating risks for NARW.• The CCG will discuss the plan in more detail with the Gulf Region later today. As next steps, they will discuss the plan with fishing groups, monitor the conditions and report back. They will also prepare a briefing note for the Assistant Commissioner for CCG Atlantic Region.• Frank Quinn explained that the Gulf Region has an ice committee that meets daily to review ice conditions (closer to the season opening). It includes the CCG, Resource Management, Science, National Headquarters and Environment and Climate Change Canada. Members of the fishing industry are also involved. It is a structured approach that has worked well for a number of years.	
4.	Briefing Notes to the Ministers	Randy Jenkins Paul Scott
	<ul style="list-style-type: none">• Fisheries Resource Management is developing a briefing note to the Deputy Minister explaining the overarching approach for fisheries management to mitigate risks to NARW with a companion piece explaining the measures in each region.• Randy Jenkins explained that a briefing note will also be prepared for the Ministers of DFO and Transport Canada to provide the broader context on what is being done to protect the NARW. This briefing note will explain any differences in approach between fisheries and shipping. There are different parameters/drivers in fisheries and shipping so it may be a challenge to coordinate the timing of the briefing note.• Paul Scott provided an update that Transport Canada is working to define the options for mitigating shipping interactions for approval by the Deputy Minister. The timing of the briefing note will be clearer when the recommended option is known. Paul confirmed that Transport Canada also plans to engage both Ministers. <p>For Action:</p> <ul style="list-style-type: none">• The coordination of the briefing notes to the Ministers of DFO and Transport Canada will be discussed further at the ASC meeting in mid-March 2018.	
5.	Vessel Interactions	Patrick Vincent Paul Scott
	<ul style="list-style-type: none">• Patrick Vincent provided an update that the shipping industry submitted a modified proposal following a meeting with them on February 2, 2018. (Transport Canada's presentation to the shipping industry on February 2nd was shared with the ASC for today's meeting.) DFO and Transport Canada will be meeting on February 19, 2018, to review the industry's new option with the three options previously developed. As part of this, they will further consider if dynamic management in a shipping corridor is feasible or not. They hope to recommend an option to the Deputy Ministers' offices and Ministers' offices later that week or the following week.	



	<ul style="list-style-type: none">At the last meeting of the ASC, there was agreement to set up a working group to identify possible mitigation measures for shipping interactions in areas outside the slow-down box being developed in the western Gulf of St. Lawrence. Nicole Bouchard, Regional Director of Ecosystem Management, Quebec Region, will lead this working group. She has received names of suggested participants and will start working with the group.Paul Scott emphasized the importance of timing for this new working group as the advice on measures for the western Gulf of St. Lawrence should be integrated with the advice for other areas before going to the Deputy Ministers and Ministers with recommended options.	
6.	Marine Mammal Response	Darren Goetze Frank Quinn
	<ul style="list-style-type: none">Darren Goetze provided an update that Conservation & Protection's (C&P's) Executive Table met to review the standard for helmets to be used in all marine mammal response operations by fishery officers and anyone working on a C&P platform. A model of helmet was selected that is also used by the CCG. The requirement to wear helmets will be communicated to external partners. <p>For Action:</p> <ul style="list-style-type: none">Frank Quinn provided an update that Serge Doucet met with the Marine Mammal Coordinators in Montreal on February 2, 2018. They are now reviewing the processes (for zonal protocols) and will have more to report at the next meeting of the ASC.The update on FRM's recent meetings with the Canadian Marine Animal Response Alliance was deferred to the next meeting of the ASC.	
7.	Inventory of groups working on NARW	Donald Humphrey Annette Daley
	<ul style="list-style-type: none">Over the past six months, DFO has established new governance structures for whales. When this structure was being developed, an inventory of the groups and committees then working directly or indirectly with NARW recovery and threat mitigation issues was also prepared. (See the inventory and categorization of groups distributed for this meeting.) Some of the internal, ad hoc committees were discontinued with the establishment of the National Whales Executive Steering Committee and the ASC for NARW. It was agreed that the ASC members will review the list of groups to confirm that the federal government is adequately represented on external and international groups.In particular, the NARW Recovery Network (see group #12 in the inventory) was formed in 1998 but has not met in the last couple of years. It was originally intended to be an advisory group for government, but evolved to be a network for information sharing and identifying opportunities for collaboration. Partners and stakeholders are interested in having another meeting. Donald Humphrey would like to first confirm that the composition and mandate of the group are appropriate going forward. The group was previously led by DFO Maritimes Region with staff from the Species at Risk Management Divisions (SARMD) in other regions and some Resource Management staff. Donald will distribute the Terms of Reference and membership list for the NARW Recovery Network for review by the ASC.The NARW Consortium (see group #19 in the inventory and the group's website: www.narwc.org) was formed in 1986 as an international collaborative data sharing group focused on eliminating human-caused mortality of NARW. It meets annually and the organizers change every two years. Staff from Science and the SARMD in Maritimes Region have participated in the past. Departmental roles in relation to whales have recently changed and Annette Daley encouraged the ASC members to review if there is adequate government representation on the Consortium and other international groups. FRM is a lead for coordinating DFO's involvement with the United States on NARW but certain aspects, such as recovery, may fall outside their mandate.	



	<p>For Action:</p> <ul style="list-style-type: none">• The linkages between the ASC and external and international groups, especially the NARW Recovery Network and the NARW Consortium, will be reviewed in more detail at the ASC's meeting in mid-March. In the meantime, committee members are asked to review the list of groups in the inventory and to share any Terms of Reference or other key documents they may have in relation to these groups.• As further organizational changes with respect to whales may result from the federal budget announcements on February 28, 2018, FRM will be asked to provide an update on the budget at the next meeting of the ASC.
8.	<p>Next Meeting</p> <ul style="list-style-type: none">• The next bi-weekly meeting of the ASC will be on February 28, 2018. Any suggestions for agenda items can be provided to Sheila Prall Dillman (the secretariat).• Sheila Prall Dillman will set up a GCconnex group to post meeting materials for the ASC for NARW. Documents will be accessible to members of the ASC and employees identified by ASC members.• Annette Daley will contact the office of the Chief Financial Officer to request that someone from Finance attend the next meeting to discuss the additional financial resources required for operational plans to mitigate risks for NARW (mainly for surveillance) and how Finance can support the committee in securing funds in a timely way, given that funds from budget announcements and from the Deputy Minister's reserve are unlikely to be available by April 2018.



Pêches et Océans Canada (MPO)
Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord
Réunion du 14 février 2018
Compte rendu des discussions

Présents	
Nom	Titre
Région des Maritimes du MPO	
Annette Daley	Directrice générale régionale associée par intérim (présidente)
Doug Wentzell	Directeur régional, Gestion des pêches
Maxine Westhead	Directeur régional par intérim, Gestion des écosystèmes
Darlene Smith	Directrice régionale par intérim, Sciences
Donald Humphrey	Gestionnaire par intérim, Division de la gestion des espèces en péril
Sheila Prall Dillman	Conseillère principale en politiques (secrétariat)
Région du Golfe du MPO	
Serge Doucet	Directeur général régional
Frank Quinn	Directeur régional, Gestion des pêches
Région du Québec du MPO	
Patrick Vincent	Directeur général régional
Région de Terre-Neuve-et-Labrador du MPO	
Robert Lambert	Directeur, Gestion des océans
Garde côtière canadienne, région de l'Atlantique	
Julien Gaudet	Surintendant, Services de communication et de trafic maritimes
Trevor Hodgson	Surintendant, Déglacage
Jean Francois Joly	Directeur régional, Programmes de navigation
Administration centrale nationale du MPO	
Louise Laverdure	Directrice générale par intérim, Sciences des écosystèmes
Jean Landry	Directeur, Science des populations de poissons
Darren Goetze	Directeur général, Conservation et Protection
Randy Jenkins	Directeur principal par intérim, Gestion intégrée des ressources, ACN, MPO
Corina Busby	Gestionnaire, biologiste, Division intégrée des espèces en péril
Transports Canada	
Paul Scott	Conseiller spécial, Stratégies des navires sur la côte Est

	SUJET	RESPONSABLE(S)
1.	Mot de bienvenue et présentations Examen du compte rendu des discussions	Annette Daley
	Le compte rendu des discussions de la réunion du 31 janvier 2018 a déjà été distribué par courriel. Tout autre commentaire peut être transmis à Sheila Prall Dillman d'ici le 16 février 2018. Après cette date, il sera considéré comme final.	



s.21(1)(b)

2.	Recherche, évaluation des risques et surveillance	Louise Laverdure Jean Landry
	<ul style="list-style-type: none">Jean Landry informe que le groupe de travail pour la coordination sur la baleine noire de l'Atlantique Nord a élaboré des options visant à embaucher des observateurs de mammifères marins qui seront chargés d'enregistrer les observations de mammifères marins lors des vols de surveillance. Un plan détaillé faisant état du nombre de vols et d'observateurs sera également préparé quand les résultats du processus d'approvisionnement seront connus, probablement d'ici la fin mars. Néanmoins, les observateurs devront être embauchés et formés avant pour être prêts à participer aux vols en avril.Récemment, il a été question des options concernant les observateurs avec les directeurs régionaux des sciences, et on en discutera aujourd'hui avec le sous-ministre adjoint afin de déterminer les prochaines étapes. Une des options consiste à embaucher [REDACTED] personnes, [REDACTED]. Le Secteur des sciences demande que de nouveaux employés soient embauchés pour éviter de recourir à des scientifiques travaillant déjà à d'autres priorités. Les observateurs seront appelés à surveiller tous les mammifères marins (et pas seulement la baleine noire de l'Atlantique Nord) pour faire la meilleure utilisation possible des ressources et répondre à d'autres priorités, comme les exigences de la <i>Marine Mammal Protection Act</i>. Les relevés prévus ne se limitent pas au strict mandat du Secteur des sciences et tentent d'intégrer les approches afin de fournir la meilleure information possible au gouvernement du Canada aux fins de la prise de décision.Le groupe de travail présente les coûts de chaque option. Les coûts peuvent dépasser les fonds prévus dans le budget de 2018, auquel cas le Secteur des sciences devra trouver d'autres fonds. Patrick Vincent mentionne qu'il a signalé au dirigeant principal des finances que les coûts de surveillance créeraient des contraintes financières afin qu'il puisse en être tenu compte dans le cadre de l'exercice budgétaire. Annette Daley encourage le Secteur des sciences et ceux qui travaillent au dossier des baleines noires de l'Atlantique Nord à présenter dès que possible des propositions concrètes par écrit au dirigeant principal des finances, pour qu'il en soit tenu compte dans le cadre du processus d'accès au fonds de réserve du sous-ministre.	
3.	Interactions avec les pêches	Doug Wentzell Randy Jenkins Trevor Hodgson
	<p><i>Gestion des ressources halieutiques (GRH)</i></p> <ul style="list-style-type: none">Comme il a été mentionné à la dernière réunion du Comité directeur de l'Atlantique, GRH a tenu une réunion le 30 janvier 2018 pour discuter des mesures de gestion des pêches auxquelles chacune des régions travaille. Cette réunion a permis aux régions d'avancer en plus étroite collaboration à des fins d'uniformité et d'établir les enjeux propres à chaque région. GRH poursuit l'élaboration d'un document de concordance qui fera état des mesures de gestion de toutes les régions.GRH travaille aussi à la mise en place des conditions de permis pour toutes les pêches commerciales et les pêches commerciales communautaires pour rendre compte obligatoirement des engins de pêche perdus. Les médias ont exprimé un certain intérêt à l'égard de cette exigence.Toujours à cette réunion du Comité directeur de l'Atlantique, on s'est mis d'accord sur l'établissement d'un groupe de travail pour définir les options concernant les processus décisionnels en cours de saison pour les pêches et le transport maritime. Le Comité a suggéré des noms de participants à Doug Wentzell et Wendy Williams. <p>Doug Wentzell et Randy Jenkins mentionnent que GRH à Ottawa travaille avec les régions en vue d'établir un ordinogramme des interventions pour répondre aux facteurs déclencheurs (p. ex. un certain nombre de baleines observées à une certaine distance d'une zone de pêche) pour prendre des mesures de gestion des pêches. L'ordinogramme expliquera les procédures, par exemple la personne contactée, les formes à utiliser, la façon dont la Garde côtière canadienne (GCC) est avisée ou dont une ordonnance</p>	



s.21(1)(b)

modificative est prise, le moment auquel le groupe des communications intervient, etc. [REDACTED] les employés suivront les procédures opérationnelles normalisées et il ne sera pas nécessaire de convoquer un comité pour répondre à chaque facteur déclencheur.

GRH continuera de coordonner le travail mené de concert avec les régions (plutôt que de mettre sur pied un groupe de travail). Doug Wentzell tiendra la liste des participants proposés, car un petit groupe pourrait être créé ultérieurement pour examiner l'ordinogramme et en établir les détails. (Un ordinogramme de la structure organisationnelle d'intervention à l'état d'ébauche a été distribué aux membres du Comité après cette réunion.)

Garde côtière canadienne (GCC)

- Trevor Hodgson donne un aperçu de la capacité de la GCC, des exigences et des principaux facteurs à prendre en compte pour ce qui est des opérations de déglacage et de recherche et sauvetage pour la pêche du crabe pour éventuellement l'ouvrir tôt dans la baie des Chaleurs. (Voir la présentation distribuée pour cette réunion.)
- Le facteur clé à prendre en compte pour la GCC est la sécurité des pêcheurs (p. ex. s'assurer que les voies de transit sont elles aussi dégagées et que le vent n'y ramènera pas la glace) ainsi que la sécurité d'autres utilisateurs des ressources marines (p. ex. l'entrée de vraquiers dans le port). Vu les prévisions actuelles de la glace dans le golfe du Saint-Laurent, la GCC pourrait avoir un aéroglisseur sur place pour le déglacage, le 30 mars 2018, mais cela dépend vraiment du temps et des vents. De façon générale, il est peu probable que la GCC puisse ouvrir la pêche plus tôt qu'habituellement, mais elle fait tout ce qu'elle peut pour être prête si les conditions le permettent.
- Serge Doucet indique que l'année dernière, la pêche du crabe a été ouverte le 27 avril 2017. Si la pêche est ouverte trois semaines plus tôt cette année (le 30 mars), et si le quota est plus bas, ce sera un facteur important à prendre en compte dans l'atténuation des risques liés à présence de la baleine noire de l'Atlantique Nord.
- La GCC discutera du plan plus en détail avec la région du Golfe plus tard dans la journée. Lors d'étapes ultérieures, elle discutera du plan avec des groupes de pêche, surveillera les conditions et rendra compte de la situation. Elle préparera également une note d'information à l'intention du commissaire adjoint pour la Région de l'Atlantique.
- Frank Quinn explique que la Région du Golfe a un comité qui se réunit chaque jour pour examiner la condition de la glace (à l'approche de l'ouverture de la saison). Il comprend des représentants de la GCC, de Gestion des ressources, du Secteur des sciences, de l'Administration centrale nationale et d'Environnement et Changement climatique Canada. Des membres de l'industrie en font également partie. Il s'agit d'une approche structurée qui a bien fonctionné pendant un certain nombre d'années.

4.	Notes d'information à l'intention des ministres	Randy Jenkins Paul Scott
	<ul style="list-style-type: none">• Gestion des ressources halieutiques prépare une note d'information à l'intention de la sous-ministre, en vue d'expliquer l'approche globale concernant la gestion des pêches pour atténuer les risques liés à la baleine noire de l'Atlantique Nord, et un document complémentaire expliquant les mesures dans chaque région.• Randy Jenkins explique qu'une note d'information sera également préparée à l'intention des ministres du MPO et de Transports Canada pour leur présenter le contexte global des mesures prises pour protéger la baleine noire de l'Atlantique Nord. Cette note d'information expliquera les différences d'approche entre les pêches et le transport maritime. Les paramètres et les facteurs sont différents pour les pêches et le transport maritime, par conséquent il pourrait être difficile de coordonner le moment choisi pour préparer la note d'information.• Paul Scott informe que Transports Canada travaille à la définition des options visant à atténuer les interactions avec le transport maritime, qui sera soumise à l'approbation de la sous-ministre. On aura une meilleure idée du moment choisi pour préparer la note d'information lorsque l'option recommandée	



	<p>sera connue. Paul confirme que Transports Canada songe également à mobiliser les deux ministres.</p> <p>Mesures à prendre :</p> <ul style="list-style-type: none">La coordination des notes d'information à l'intention des ministres du MPO et de Transports Canada fera l'objet d'une discussion approfondie à la réunion du Comité directeur de l'Atlantique à la mi-mars 2018.	
5.	Interactions avec les navires	Patrick Vincent Paul Scott
	<ul style="list-style-type: none">Patrick Vincent informe que l'industrie du transport maritime a soumis une proposition modifiée après la réunion tenue avec elle le 2 février 2018. (L'exposé que Transports Canada a présenté à l'industrie du transport maritime le 2 février a été transmis au Comité directeur de l'Atlantique en prévision de la réunion d'aujourd'hui.) Le MPO et Transports Canada tiendront une réunion le 19 février 2018 afin d'examiner la nouvelle option de l'industrie comparativement aux trois options élaborées précédemment. À cette occasion, ils examineront de façon plus détaillée la mesure dans laquelle la gestion dynamique dans un corridor de navigation est faisable. Ils espèrent recommander une option aux bureaux des sous-ministres et des ministres à la fin de cette semaine ou la semaine suivante.À la dernière réunion du Comité directeur de l'Atlantique, les participants ont convenu de créer un groupe de travail qui sera chargé d'établir les mesures d'atténuation possibles des interactions avec le transport maritime dans les zones en dehors de la zone de ralentissement dans l'ouest du golfe du Saint-Laurent. Nicole Bouchard, directrice régionale, Gestion des écosystèmes, Région du Québec, dirigera ce groupe de travail. Elle a reçu des suggestions concernant les éventuels participants et elle commencera à travailler avec le groupe.Paul Scott insiste sur l'importance du moment choisi pour ce groupe de travail, car l'avis sur les mesures visant l'ouest du golfe du Saint-Laurent doit être intégré à l'avis portant sur d'autres zones avant de le transmettre aux sous-ministres et aux ministres, accompagné des options recommandées.	
6.	Intervention auprès des mammifères marins	Darren Goetze Frank Quinn
	<ul style="list-style-type: none">Darren Goetze informe que la table de la haute direction de Conservation et Protection (C et P) s'est réunie pour examiner la norme concernant les casques que doivent porter les agents des pêches et toutes les personnes qui travaillent sur une plateforme de C et P, pour mener des opérations d'intervention auprès des mammifères marins. Un modèle de casque a été choisi et il est aussi utilisé à la GCC. L'obligation de porter un casque sera communiquée aux partenaires externes. <p>Mesures à prendre :</p> <ul style="list-style-type: none">Frank Quinn informe que Serge Doucet s'est réuni avec les coordonnateurs responsables des mammifères marins à Montréal le 2 février 2018. Les processus (pour les protocoles zonaux) font actuellement l'objet d'un examen, et il y aura plus d'information à communiquer à la prochaine réunion du Comité directeur de l'Atlantique.La mise à jour sur les récentes réunions de GRH avec la Canadian Marine Animal Response Alliance est reportée à la prochaine réunion du Comité directeur de l'Atlantique.	
7.	Liste des groupes qui travaillent au dossier des baleines noires de l'Atlantique Nord	Donald Humphrey Annette Daley
	<ul style="list-style-type: none">Au cours des six derniers mois, le MPO a établi de nouvelles structures de gouvernance pour les baleines. Dans le cadre de l'élaboration de ces structures, une liste des groupes et des comités travaillant directement ou indirectement aux questions relatives au rétablissement de la baleine noire de l'Atlantique Nord et à l'atténuation des menaces a également été dressée. (Voir la liste et la catégorisation des groupes distribuées pour cette réunion.) Certains comités spéciaux internes ont été dissous en raison de la mise sur pied du Comité directeur national des cadres supérieurs sur les baleines et du Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord. Il est convenu que les	



membres du Comité directeur de l'Atlantique examineront la liste des groupes afin de confirmer que le gouvernement fédéral est bien représenté au sein des groupes externes et internationaux.

- Plus précisément, le Réseau de rétablissement de la baleine noire de l'Atlantique Nord (groupe n° 12 dans la liste) a été créé en 1998, mais n'a tenu aucune réunion au cours des deux à trois dernières années. Au départ, il était censé être un groupe consultatif du gouvernement, mais a pris la forme d'un réseau pour échanger de l'information et déterminer les possibilités de collaboration. Les partenaires et les intervenants souhaitent avoir une autre réunion. Donald Humphrey aimerait d'abord confirmer que la composition et le mandat du groupe conviennent pour l'avenir. Le groupe était auparavant dirigé par la Région des Maritimes du MPO, conjointement avec des membres des divisions de la gestion des espèces en péril (DGEP) d'autres régions et quelques membres de Gestion des ressources. Donald remettra le cadre de référence et la liste des membres du Réseau de rétablissement de la baleine noire de l'Atlantique Nord au Comité directeur de l'Atlantique, aux fins d'examen.
- Le consortium de recherche sur la baleine noire de l'Atlantique Nord (groupe n° 19 dans la liste, et son site Web www.narwc.org) a été créé en 1986 en tant que groupe international de concertation pour l'échange de données, ciblé sur l'élimination de la mortalité chez les baleines noires de l'Atlantique Nord causée par l'activité humaine. Il tient une réunion annuelle et les organisateurs changent tous les deux ans. Dans le passé, des membres du Secteur des sciences et de DGEP de la Région des Maritimes en ont fait partie. Récemment, les rôles du Ministère dans le dossier des baleines ont changé et Annette Daley encourage les membres du Comité directeur de l'Atlantique à examiner si le gouvernement est convenablement représenté au sein du consortium et dans d'autres groupes internationaux. GRH joue un rôle de premier plan pour coordonner la participation du MPO aux côtés des États-Unis, mais certains aspects, comme le rétablissement, pourraient ne pas être dans son mandat.

Mesures à prendre :

- Les liens entre le Comité directeur de l'Atlantique et les groupes externes et internationaux, en particulier le Réseau de rétablissement de la baleine noire de l'Atlantique Nord et le consortium de recherche sur la baleine noire de l'Atlantique Nord, seront examinés plus en détail à la réunion du Comité directeur de l'Atlantique à la mi-mars. Entre-temps, il est demandé aux membres du Comité de passer en revue la liste des groupes et de distribuer les cadres de référence ou d'autres documents importants qu'ils pourraient avoir au sujet de ces groupes.
- Si les annonces concernant le budget fédéral le 28 février prochain entraînent d'autres changements organisationnels concernant les baleines, il sera demandé à GRH de présenter une mise à jour sur le budget à la prochaine réunion du Comité directeur de l'Atlantique.

8. Prochaine réunion

- La prochaine réunion bihebdomadaire du Comité directeur de l'Atlantique aura lieu le 28 février 2018. Toute suggestion de point à l'ordre du jour peut être transmise à Sheila Prall Dillman (secrétariat).
- Sheila Prall Dillman mettra sur pied un groupe GConnex qui sera chargé d'afficher les documents de réunion, à l'intention du Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord. Les membres du Comité directeur de l'Atlantique et les employés identifiés par les membres dudit Comité pourront accéder aux documents.
- Annette Daley communiquera avec le bureau du dirigeant principal des finances pour demander que quelqu'un des Finances participe à la prochaine réunion pour discuter des ressources financières supplémentaires qui seront nécessaires pour les plans opérationnels visant à atténuer les risques liés à la baleine noire de l'Atlantique Nord (essentiellement pour la surveillance) et de la manière dont le groupe des Finances peut aider le Comité à obtenir des fonds rapidement, car il est peu probable que des fonds provenant des mesures budgétaires annoncées et de la réserve du sous-ministre soient disponibles avant avril 2018.



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Ordre du jour

Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord

Le 28 février 2018, 11 h à 12 h 30 (heure de l'Atlantique)

Numéro de la téléconférence : 1-877-413-4781 Code : [REDACTED]

Salle de conférence Ron Trites, 4^e étage de l'immeuble Polaris, IOB

	HEURE	SUJET	PRÉSENTATEUR
1	11 h à 11 h 5	Mot de bienvenue et présentations Examen du compte rendu des discussions de la réunion du 14 février 2018	Mary-Ellen Valkenier, directrice générale régionale, Région des Maritimes
2	11 h 05 à 11 h 25	Budget de 2018 <ul style="list-style-type: none">Examen initial des affectations budgétaires concernant les baleines et processus d'accès au financement en temps opportun afin de mettre en œuvre des plans opérationnels pour avril 2018	Christopher Veilleux, directeur principal, Services consultatifs en gestion financière
3	11 h 25 à 11 h 40	Recherche, évaluation des risques et surveillance <ul style="list-style-type: none">Mise à jour sur les plans de surveillance visant à appuyer les mesures de gestion proposées pour le printemps 2018Mise à jour sur l'examen des demandes d'avis du Secrétariat canadien de consultation scientifique	Louise Laverdure, directrice générale par intérim, Sciences des écosystèmes Jean Landry, directeur, Science des populations de poissons Alain Vézina, directeur régional, Sciences, Région des Maritimes
4	11 h 40 à 11 h 55	Interactions avec les navires <ul style="list-style-type: none">Mise à jour sur la réunion du 19 février 2018 entre Pêches et Océans Canada (MPO) et Transports Canada, afin de déterminer une option recommandée visant à atténuer les risques engendrés par les interactions avec le transport maritimeMise à jour du groupe de travail chargé d'élaborer des options visant à atténuer les risques d'interactions éventuelles avec le transport maritime dans les zones en dehors de la zone de ralentissement dans le golfe du Saint-Laurent	Patrick Vincent, directeur général régional, Région du Québec Nicole Bouchard, directrice régionale, Gestion des écosystèmes, Région du Québec Ellen Burack, directrice générale, Politique environnementale, Transports Canada Julien Gaudet, surintendant, Services de communication et de trafic maritimes, Garde côtière canadienne
5	11 h 55 à 12 h 10	Interactions avec les pêches <ul style="list-style-type: none">Mise à jour sur l'élaboration de mesures de gestion des pêches visant à atténuer les risques pour les baleines noires de l'Atlantique Nord dans l'ensemble du Canada atlantique (y compris l'élaboration d'une stratégie/d'un tableau de concordance et d'un ordinogramme de la structure organisationnelle d'intervention)	Adam Burns, directeur général, Gestion des ressources halieutiques, ACN Doug Wentzell, directeur régional, Gestion des pêches, Région des Maritimes Frank Quinn, directeur régional, Gestion des pêches et de l'aquaculture, Région du Golfe



6	12 h 10 à 12 h 25	<p>Intervention auprès des mammifères marins</p> <ul style="list-style-type: none">• Mise à jour sur l'élaboration de protocoles zonaux à la suite de la réunion avec les coordonnateurs responsables des mammifères marins en février• Mise à jour sur les réunions entre le MPO et la Canadian Marine Animal Response Alliance portant sur les projets possibles au cours du prochain exercice financier	<p>Serge Doucet, directeur général régional, Région du Golfe</p> <p>Adam Burns, directeur général, Gestion des ressources halieutiques, ACN</p> <p>Darren Goetze, directeur général, Conservation et Protection, ACN</p>
7	12 h 25 à 12 h 30	<p>Autres mises à jour :</p> <ul style="list-style-type: none">• Mise à jour sur la publication du rapport « Ce que nous avons entendu », rédigé à la suite des séances de mobilisation du public « Parlons des baleines » (s'il est publié)	<p>Julie Stewart, directrice, Division intégrée des espèces en péril</p>

Ordre du jour de la prochaine réunion (du 14 mars 2018) :

- Coordination des notes d'information à l'intention des ministres du MPO et de Transports Canada en ce qui concerne l'approche générale visant à atténuer les risques pour les baleines noires de l'Atlantique Nord
- Discussion sur les liens qu'entretient le Comité directeur de l'Atlantique avec des groupes externes et internationaux, et la représentation fédérale dans ces groupes qui travaillent au rétablissement des baleines noires de l'Atlantique Nord et à l'atténuation des menaces auxquelles elles sont exposées.

Merriman, Catherine B

From: Sweet, Marilyn
Sent: February-27-18 8:17 AM
To: Nales, Freya
Subject: RE: response plan for North Atlantic Right Whale occurrences
Attachments: Right Whale Management Entanglement Prevention Measures-draft Dec 2017.docx

Hi Freya,

Thought I would jot some notes down quickly as I have a spare moment. We can discuss further.

Are you reaching out to all other regions as well?

Thanks,

Mar

From: Nales, Freya
Sent: February-26-18 4:48 PM
To: Sweet, Marilyn
Subject: response plan for North Atlantic Right Whale occurrences

Marilyn,

I work for Jennifer Buie, in Ottawa, and I'm trying to put together a document outlining a coordinated response to North Atlantic Right Whale occurrences in Fishing Areas (esp. in the Gulf of St. Lawrence), for the coming 2018 fishing season.

I know that the regions already have various processes in place, so I'm trying to gather the information that already exists in each of the regions. As such, I have a few questions for you:

- 1) What is(are) the mechanism(s) in your region for **reporting whale sightings**? Is there a phone number, e-mail, are they radioed in, etc.?
 - There is an email and phone number for reporting of whales to DFO. This has been distributed out and relayed at SOME AC meetings but not all. There are posters available from science which should be further distributed. For entanglements, strandings, animals in distress, fishers are asked to call MARS (Marine Animal Response Society) to initiate a response.
- 2) How are harvesters and other mariners made aware of the importance of reporting whale sightings, and how they can call them in?
 - Importance of reporting needs to be increased. There is fear that if they report they will be shut down, but an understanding of the importance of avoiding and relaying information. It's a hard position for fishers to be in. The importance has been discussed (as related to the MMPA and now the NARWs) at ACs in the Maritimes Region for the past few years.
- 3) When a whale is sighted near an active fishery, is there a **contact list for disseminating the information** about the sighting? For example, do you contact Transport Canada to avoid whales in shipping lanes; or the Coast Guard to put out a Notice to Mariners; or Regional Resource Managers to make a decision about what happens to the fishery; etc.?
 - Attached above with a "core group" contact list. TC and CCG are not included in the list. Likely should be.
- 4) Do you have a protocol or **response plan** in place for the event that a whale is sighted? What happens in response? Are harvesters told to be on alert? Tend their gear? Pull their gear? Do you close the fishery?
 - Attached above. This is a draft. There was nothing formalized when I started in the position.
- 5) How do you coordinate your response in conjunction with neighbouring Regional Offices (NL, Gulf, QC)?
 - Through discussions with my counterparts. Nothing formalized that I am aware of.

- 6) Pre-season and during the fishing season, do you have any kind of **surveillance** (flights or vessels) actively looking for whales in the fishing areas?
- There are pre-season flights (done by science and C&P and also in Bay of Fundy with researchers and C&P jointly as part of the voluntary measures in place by the Grand Manan Fishermen's Association)
 - C&P continues to do regular flights (I believe whenever there is active fishing and weather allows but best to check with them) and they provide a MM report after flights.

I will be following up by phone over the coming week, but I wanted to send out a message to get you thinking about the kinds of questions I'm looking to answer.

Thanks in advance for your assistance,

Freya Nales

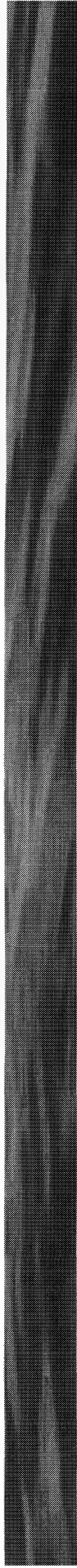
Fishery and Aquaculture Management Officer | Agente, Gestion des pêches et de l'aquaculture
Integrated Resource Management | Gestion intégrée des ressources halieutiques
Fisheries and Oceans Canada | Pêches et Océans Canada
Freya.Nales@dfo-mpo.gc.ca | Tel : 343-542-5180

**Pages 326 to / à 332
are duplicates of
sont des duplicatas des
pages 158 to / à 164**

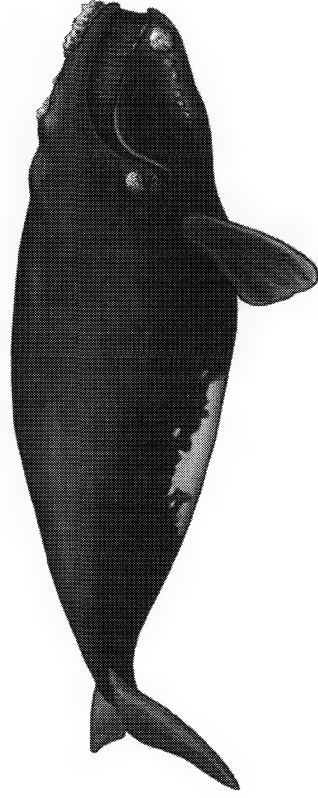


Fisheries and Oceans
Canada

Pêches et Océans
Canada



Proposed Fisheries Mitigation Measures for North Atlantic Right Whales



Canada



Objective & Context

Objective:

- To provide an update on the management measures proposed by Fisheries and Oceans Canada (DFO) to protect North Atlantic Right Whales (NARW).

Context:

- In response to the unprecedented mortality event that occurred in 2017, DFO has made it a top priority to reduce risks to NARWs. Risk tolerance is extremely low.
- Fishery component is complex, with many variables to consider such as geographic scope, monitoring requirements and gear characteristics.
- Seasonality with regard to NARW presence, approximately 9 month window from April – December based on historical data.
- Proposing a “toolbox approach” where regional fisheries managers would have measures available to apply when needed.
- Industry is motivated to initiate and adopt measures to avoid interactions to maintain access to key markets but resistant to blanket measures being applied. Some push back has been received from industry in areas where there have been no recorded incidents to date.
- Planned mitigation efforts for 2018 are significantly improved as a result of heightened engagement with industry and internal coordination amongst DFO sectors.
- Continuing to gather data to inform fisheries management decisions; significant data gaps exist with regard to NARW distribution.
- In the Southern Gulf, there will be less crab gear due to lower total allowable catch.



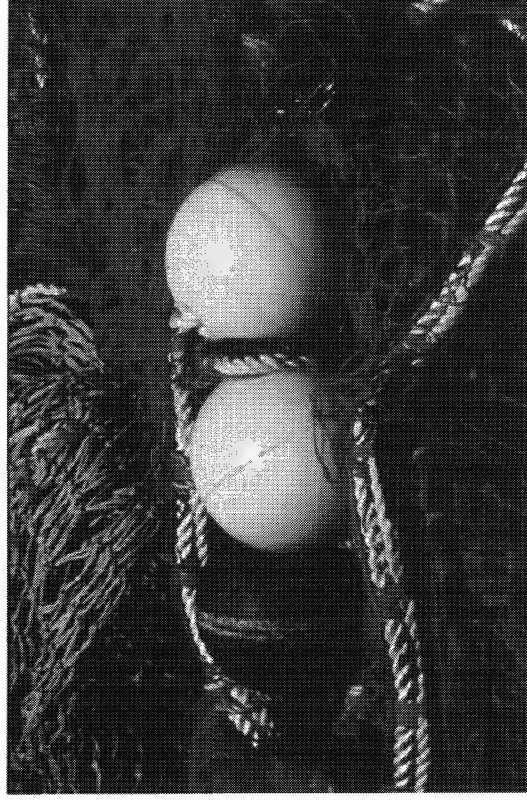
NARW Pre-Arrival Activities

- Flights to determine NARW presence before fisheries open, e.g., via C&P aircraft or to the extent possible via scheduled science overflights
- Opening of certain fisheries early as conditions become favourable and safe, enabling fleets to fish before NARWs are present.
 - Ongoing discussion with Canadian Coast Guard (CCG) regarding ice breaking activities
- Education and awareness with respective internal and external stakeholders and partners.
 - Ensuring harvesters understand conditions of licence related to marine mammals.
 - Encourage harvesters to fish early in the season, before NARW arrive.



Pre-Arrival “Gear-up”

- Implementing measures and licence conditions for fisheries that pose the greatest risk of interacting with NARWs:
 - A reduction on floating fishing line;
 - Maximum distance between a principle and secondary buoy;
 - Sequential numbering of buoys;
 - Mandatory reporting of lost fishing gear;
 - Mandatory reporting of interactions with marine mammals.
- Gradual implementation of interregional rope marking for gear identification (e.g., Southern Gulf crab fishery will be employing this year).



Slide 4

MS1 Should it be noted that these measures are focused on the SC fishery in the Gulf?
DFO-MPO, 01/03/2018

MS2 DFO-MPO, 01/03/2018



In-Season Measures – Toolbox

- Surveillance and sightings:
 - Aerial surveillance will be the key method to verify NARW presence
 - Considering opportunistic sightings from vessels (e.g. Canadian Coast Guard, harvesters)
 - Secondary detection from deployed gliders expected over the season
- Variation orders to open and close seasons early/late.
- Proactive and heightened communication to inform harvesters of measures and encourage collaboration:
 - Importance of reporting NARW sightings ^{MS3}
 - Alerting of NARW presence
 - Reporting of lost gear
- Explore further measures regarding gear reduction ^{MS5}
- Requirement of gear tending

Slide 5

MS3

messaging on this needs to be well thought out and the approach will likely vary depending on what is decided on triggers for closures. If we are saying 1 triggers a closure, we risk losing eyes on the water. If this is the case, we need to do more on communicating the facts of risks faced if we have more incidents in Canada this year (MSC, markets both within Canada and abroad, public scrutiny/attention). A socio-economic impact study might help to give rough estimates of what implications this could have on specific industries as well as the economy at large for the region.
DFO-MPO, 01/03/2018

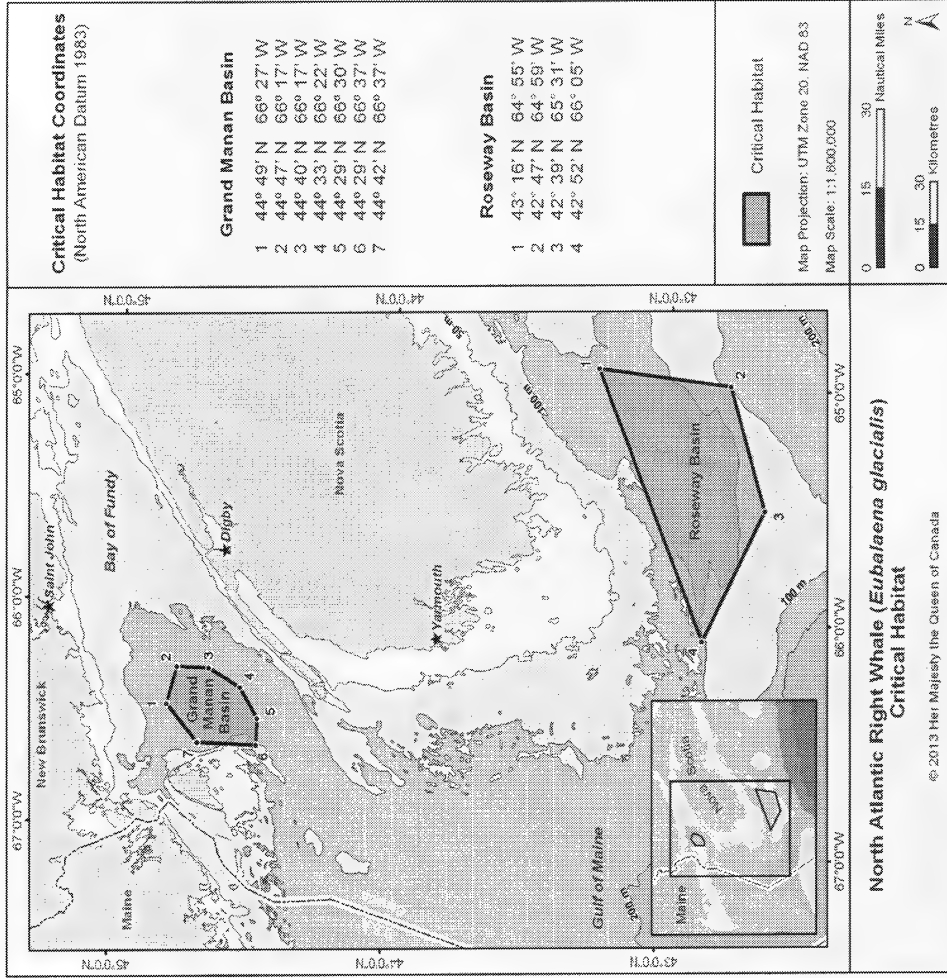
MS5

this is a pretty vague statement. Unless we are ready to say who/how is working on this piece i would remove it. Have advisors been tasked with working on this?
DFO-MPO, 01/03/2018



Static Management Area (SMA)

- SMA closures would apply if there is a significant number of NARWs aggregating for an extended period of time.
 - For example, main aggregation area in Southern Gulf could be closed as of May 15 for the remainder of season when whales are likely to be present.
- Closures could be proposed for critical habitat areas as indicated by the NARW Recovery Plan (e.g., Roseway Basin and Grand Manan Basin).
 - However, NARW presence in the two areas has been minimal over the last 2 years.
 - Would require further examination.





SMA Pros and Cons

- Pros:
 - Significant decrease of risk to NARWs aggregating since area will be absent of fishing gear.
 - Incentive for harvester to fish before May deadline.
 - Managing a larger area may be more effective than smaller areas with regards to reopen and closing. ^{MS4}
 - Clear deadline for closure established.
- Cons:
 - Could result in decreased fishing effort by harvesters and loss of economic benefits.
 - Closure of any kind could result in harvesters not complying with reporting requirements.
 - Working in a real-time environment could mean closures are not in place until “it’s too late”
 - Could concentrate fishing in adjacent areas with displaced harvesters. Could lead to added pressure on Conservation and Protection operations.

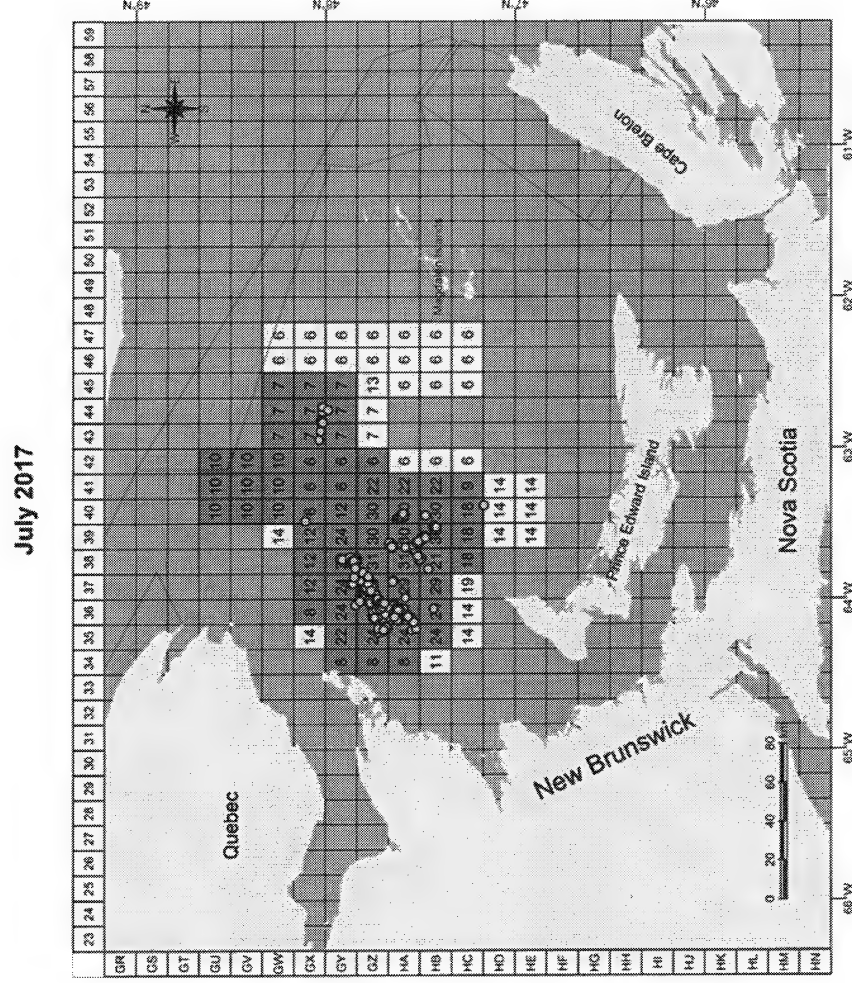
Slide 7

MS4

again, gulf focused statement
DFO-MPO, 01/03/2018

Dynamic Management Area (DMA)

- A DMA could be triggered if three or more NARWs, or a mother and her calf, are verified by aerial surveillance in a predetermined grid size.
- Grid system already in place for soft shell crab; can be adapted for DMA.
- A DMA would be in effect for 15 days. Aerial surveillance would need to verify that NARWs are no longer present to reopen the area.
- DMA's would apply to fisheries with vertical line (fixed gear) and long-line.
- DMA scenarios are outlined on the slides that follow.



Graph is for illustration purposes only. Dots are confirmed whale sightings. Red represents closed area. Yellow would signal to harvesters to be on alert as NARWs have been seen transiting.



General DMA Pros and Cons

- **Pros:**
 - DMA allows continued economic benefit to harvesters while temporarily closing areas where NARWs are aggregating.
 - Harvesters would be able to move gear to a new area and continue fishing.
- **Cons:**
 - Uncertainty regarding the capacity to manage, especially if multiple DMA areas are in effect:
 - Ability to patrol/enforce DMAs over large geographic areas in different regions (e.g., Gulf and Maritimes) with limited resources – if many are triggered at the same time
 - Ability to verify sightings and reopen areas
 - Scenario where NARW aggregation is moving and triggers multiple DMAs (rolling closures/hard closures in some areas, soft in others)
 - Department needs to ensure that the “fencing effect”, harvesters moving gear to border of DMA could surround whales, does not occur.
 - Closures of any kind could impact the incentive for harvesters to complying with reporting requirements.
 - Flights are subject to weather and information gathered from the flights is also subject to visibility
 - Possibility that prolonged closures could have economic impacts for fishing industry and other sectors



DMA Scenario #1

(smaller zone)

- Closure Size
 - Approximately 150 nm² (12.23nm x 12.23nm) or 538 km² (23.2 km x 23.2 km)
- Pros
 - Allows for targeted closures
 - Regions implemented closures similar in size last year
 - Industry is familiar with this size of zone closure
 - Uses pre-existing grid system
- Cons
 - This approach is approximately 4 times less sensitive than the US NARW trigger.



DMA Scenario #2

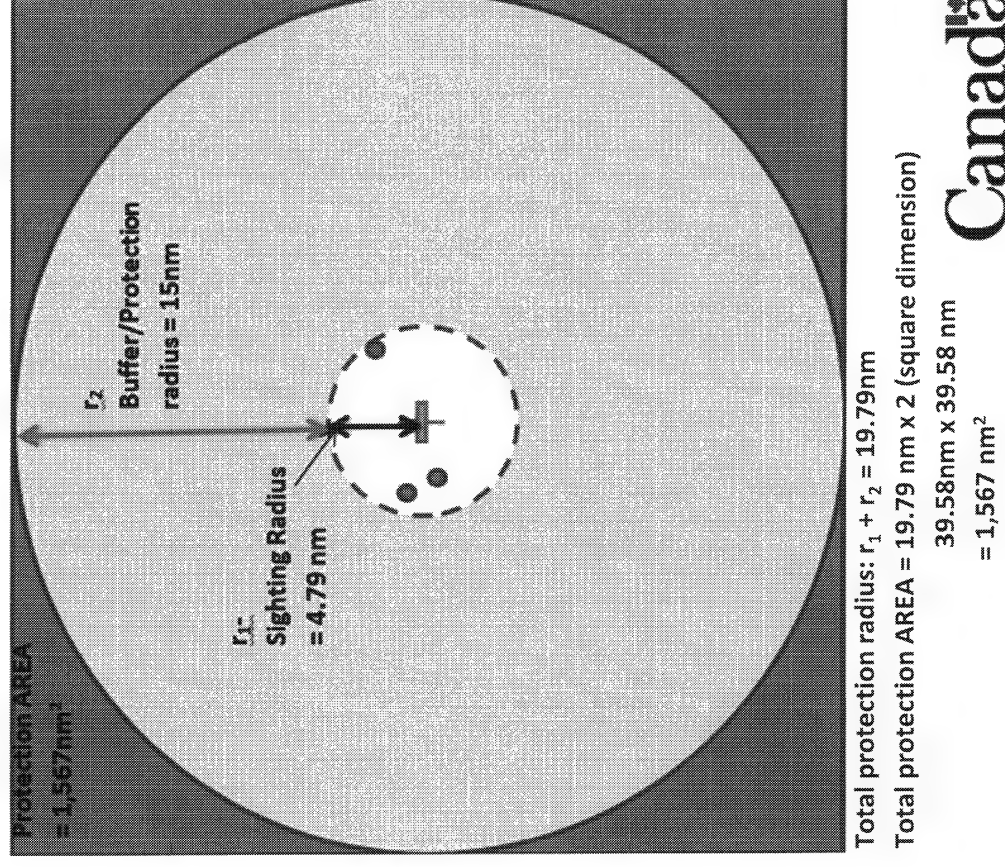
(size equivalent to NOAA)

- Size
 - Approximately 1566 nm² (39.58nm x 39.58nm) or 5374 km² (73.3km x 73.3km)
- Pros
 - Equivalent to NOAA's approach based on NARW movement studies
 - Demonstrates that Canada is treating risks to NARWs as a priority
- Cons
 - Significant closure that would have broad implications on the harvesting sector



DMA Scenario #2 - Aggregation Trigger

- Based on US National Oceanic and Atmospheric Administration (NOAA) criteria.
- Aggregation density of $0.04/\text{nm}^2$ (3 NARWs within a 4.79 nm radius) would trigger a closure.
- NOAA also adds a 15nm buffer.





Before April 28th - Single NARW

- Transport Canada has chosen April 28th to implement their proposed measures based on the analysis presented in the Canadian Science Advisory Secretariat (CSAS) report on NARW presence in the Gulf of St. Lawrence.
- DFO could consider this date to ensure that a government-wide approach is being followed.

If a single NARW is sighted before April 28th, triggers a “heightened alert” but not a closure.

- A broadcast will inform harvesters that a closure could be imminent and they should begin preparation to collect their gear.
- Mariners in the area are to be on “high alert”.
- If available, divert aerial surveillance or other government assets to verify the sighting.
- If it is the beginning of an aggregation, could signal the beginning of a fishery closure.

Before April 28th – Aggregation of NARW

- Once an aggregation (3 or more, or a mother and her calf) of NARWs is verified by aerial surveillance, an area closure will be triggered.
- Harvesters will have a maximum of 72 hours to collect gear.
- If gear is not collected, the harvester could face charges as a result of not complying with their licence conditions.
- A DMA closure would be implemented.

Pros:

- Likelihood of NARW aggregation before April 28 is lower than after that date.
- 72 hours for gear collection keeps harvester safety in mind in terms of collecting gear.
- Incentive for harvesters to fish their quotas before the April 28th date.

Cons:

- 72 hours to collect gear still presents risk of NARW entanglement.



After April 28th – Single NARW

- Transiting
- Near foraging area



After April 28th – Aggregation

- Once an aggregation (3 or more, or a mother and her calf) of NARWs is verified by aerial surveillance, an area closure will be triggered.
- Harvesters will have a maximum of 24 hours to collect gear.
- If gear is not collected, the harvester could face charges as a result of not complying with their licence conditions.
- A DMA closure would be implemented.

Pros:

- 24 hours for gear collection reduces risk to NARW being entangled.
- More stringent conditions creates incentive for harvesters to fish their quotas before the April 28th date.

Cons:

- This could become a human safety issue due to increase urgency to collect gear within a 24 hour period/



Seeking Decisions

- April 28th: less likely NARWs will be present in the Gulf before that date
 - Different measures for pre/post April 28th?
 - As per Canadian Science Advisory Secretariat report recommendation on NARW presence.
- Closures
 - Size of the dynamic area to be closed to fishing activity.
 - Time allotted to harvesters to retrieve fishing gear (24 hours vs. 72 hours).



Considerations

- Transport Canada and DFO are working bi-laterally with NOAA on their mitigation measures and have taken lessons learned to develop a made in Canada approach.
- Management measures for 2018 will be fluid and may change as the season progresses.
 - NARW distribution will determine mitigation measures taken
- Toolbox of mitigation measures will be employed by Regions depending on the circumstances. ^{MS6}
- Monitoring capacity issues and complexity (fisheries vs. transportation)
 - Vast geographic areas with limited aerial surveillance capacity.
 - Various fisheries with differing gear creates complex approach compared to shipping industry.

Slide 18

MS6

So, i don't think the "toolbox" is the right word here. There are very few tools provided there aside from the ability to apply VOs (which we already have) to reduce risks. There are no "mitigation measures" offered.
What we have here are possible avoidance measures IF they work. If we communicate properly, if we have the support of industry and if we have the ability to do surveillance and find the animals we MAY be able to avoid them. We do not have measures in here that can be applied to active fisheries to reduce the risks once whales are in our waters.
DFO-MPO, 01/03/2018



Next Steps

- Work ongoing to operationalize the implementation of response to NARW sightings, ensuring coordinated approach with implicated sectors such as C&P, CCG and Science.
- A protocol is in development regarding the lifting of the pause on disentanglement of NARWs
- Engagement planned with third-party providers in March to enhance disentanglement capacity
- A communications strategy will be developed to inform public on Canada's approach to mitigate further NARW deaths.



Questions / Discussion

Dunn, Patricia

From: Potter, Ted
Sent: February-27-18 3:06 PM
To: Quigley, Sara; Surette, Dwayne E; Cheney, Sarah
Cc: Sweet, Marilyn; MacDonald, Carl; Waters, Christa; Berthier, Jacinta
Subject: RE: Whale Mitigation and In season Action planning

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Sara, Dwayne, Sarah,

We are in a low risk environment when it comes to NARWs. The Department is looking at being very precautionary on our management activities. So the message below is a starting point, not an end point. There have been some discussions on dynamic closures that would apply to all fisheries with untended fixed gear in the water. We are also looking at static closures in the two critical habitat areas, Roseway and Grand Manan Basins. There remains a lot of questions to answer and we will provide than as soon as we can.

Ted

Ted Potter

Regional Manager, Resource Management | Gérant régionale, gestion des ressources
Fisheries Management | Gestion des pêches
Maritimes Region | Région des Maritimes
Fisheries & Oceans Canada | Pêches et Océans Canada
Ph/Tél: (902) 456-4090

From: Quigley, Sara
Sent: 2018-February-27 2:55 PM
To: Potter, Ted
Cc: Surette, Dwayne E
Subject: RE: Whale Mitigation and In season Action planning

Hi Ted – Perhaps I misread the instruction, but I'd understood you to mean that the two bullets were to be presented at AC meetings. I delivered these messages at the LFA 41 meeting this morning. Please clarify ASAP.

I've copied in Dwayne because there's a 34 meeting tomorrow and a 33 on Thursday.

From: Potter, Ted
Sent: February-26-18 4:02 PM
To: Hayman, Timothy; Penny, Lorne; Quigley, Sara
Cc: Waters, Christa; MacDonald, Carl; Sweet, Marilyn
Subject: FW: Whale Mitigation and In season Action planning
Importance: High

Hi Lorne, Tim, Sara,

Please note the two bullets below for your upcoming Advisory Committee meetings. There will be a Director's call tomorrow morning to discuss.

Ted

Ted Potter

Regional Manager, Resource Management | Gérant régionale, gestion des ressources
Fisheries Management | Gestion des pêches
Maritimes Region | Région des Maritimes
Fisheries & Oceans Canada | Pêches et Océans Canada
Ph/Tél: (902) 456- 4090

From: Jenkins, Randy

Sent: 2018-February-26 2:30 PM

To: Blanchard, Tony; Berthier, Jacinta; LeCouffe, Marc; Gros-Louis, Denis; Potter, Ted; Kean, Jackie

Cc: Buie, Jennifer; Sylvestri, Nicholas

Subject: Whale Mitigation and In season Action planning

HEADS UP... Just want to follow up on our call from last week. There was a briefing of the DM on the TC options for slow down of vessels in the GULF this season and we now have to merge our Deck and the TC deck into one coherent deck by Friday to brief MINO on the Government strategy for 2018. However, as follow up from the DM mtg this morning we need to give more thought to our planning as there is a strong desire to have a concrete action plan that is proactive and reactive in the shortest time possible to prevent whale entanglements.

In this regard we need to clarify:

- 1) Single whale sighting: what happens when a single whale is sighted... it triggers a "heighten alert" but not a specific closure. Heighten alert means: broadcast of info to fishers that whale has been sighted at a position; mariners in the area are to keep a lookout and report sightings; air surveillance is deployed to determine is single whale or multiple whales; messaging to industry in advance is that a whale broadcast could mean a close is pending and they should start managing their fisheries accordingly.
- 2) Multiple whale sighting: Fishery will be closed within the area of the sighting (3 box by 3 box = 15x15kn area) for 2 weeks... closure will spread if whales moving or other whales sighted. Once it is confirmed that multiple NARW are in the area the closure process must happen quickly to minimize the likelihood of entanglement. It will be the fishers responsibility to fish in a manner that allows them to comply with a closure notice. Closures will occur within 24 hours of broadcast (so fishers should start preparing when they become aware of whales in the area (eg 1 whale broadcast). Given that TC is starting their advance action plan effective 28 April (unless whale come earlier) than it is suggested that any closure before 28th April will have 3 days notice (no reason to believe whales in the area) but after 28th April Whales likely in area so closure notice is 1 day. Should encourage fishers to fish early and get gear out of water asap.

I suggest we may need a call in the morning.

Randy

Randy P. Jenkins
a/Senior Director - Integrated Resource Management
Directeur principal intérimaire - Gestion des ressources intégrées
Ecosystems and Fisheries Management / Gestion des écosystèmes et des pêches
200 rue Kent Street, 13S026
Ottawa, Ontario, K1A 0E6

Tel/Tél.: (613) 993-1798 Fax/Télécopieur: (613) 990-7051
E-Mail / Courriel: Randy.Jenkins@dfo-mpo.gc.ca

Caines, Allison

From: Daley, Annette
Sent: Thursday, March 1, 2018 4:20 PM
To: Humphrey, Donald
Cc: King, Rhea L
Subject: Pls review: NARW Mitigation/Response 2018 - DRAFT DECK
Attachments: Proposed_DFO_Mitigation_Measures_for_Right_Whales_DRAFT Feb 27th.ppt

Donald, FM is reviewing but I would appreciate any comments you may have. Thx.

Annette

From: Berthier, Jacinta
Sent: Wednesday, February 28, 2018 5:30 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: FW: NARW Mitigation/Response 2018 - DRAFT DECK

As discussed. We will send comments in the AM.

JB

From: Jenkins, Randy
Sent: Wednesday, February 28, 2018 9:16 AM
To: Blanchard, Tony <Tony.Blanchard@dfo-mpo.gc.ca>; Kean, Jackie <Jackie.Kean@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Potter, Ted <Ted.Potter@dfo-mpo.gc.ca>; LeCouffe, Marc <Marc.LeCouffe@dfo-mpo.gc.ca>; Gros-Louis, Denis <Denis.Gros-Louis@dfo-mpo.gc.ca>; Morin, Bernard <Bernard.Morin@dfo-mpo.gc.ca>
Cc: Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Sylvestri, Nicholas <Nicholas.Sylvestri@dfo-mpo.gc.ca>
Subject: NARW Mitigation/Response 2018 - DRAFT DECK

Attached is the revised draft deck being prepared to brief on the DFO NARW mitigation measures/Response posture for 2018... we are adding the pieces as discussed on the call yesterday but it is still a work in progress so feel free to submit comments and questions or new emerging plans for NARW. We will NOT be going through this on today's call (but if someone has something to raise please do).

Thanks.

Randy

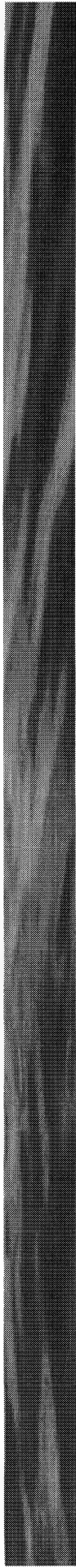
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Proposed Fisheries Mitigation Measures for North Atlantic Right Whales



Canada



Objective & Context

Objective:

- To provide an update on the management measures proposed by Fisheries and Oceans Canada (DFO) to protect North Atlantic Right Whales (NARW).

Context:

- In response to the unprecedented mortality event that occurred in 2017, DFO has made it a top priority to reduce risks to NARWs. Risk tolerance is extremely low.
- Fishery component is complex, with many variables to consider such as geographic scope, monitoring requirements and gear characteristics.
- Seasonality with regard to NARW presence, approximately 9 month window from April – December based on historical data.
- Proposing a “toolbox approach” where regional fisheries managers would have measures available to apply when needed.
- Industry is motivated to initiate and adopt measures to avoid interactions to maintain access to key markets.
- Planned mitigation efforts for 2018 are significantly improved as a result of heightened engagement with industry and internal coordination amongst DFO sectors.
- Continuing to gather data to inform fisheries management decisions; significant data gaps exist with regard to NARW distribution.
- In the Southern Gulf, there will be less crab gear due to lower total allowable catch.



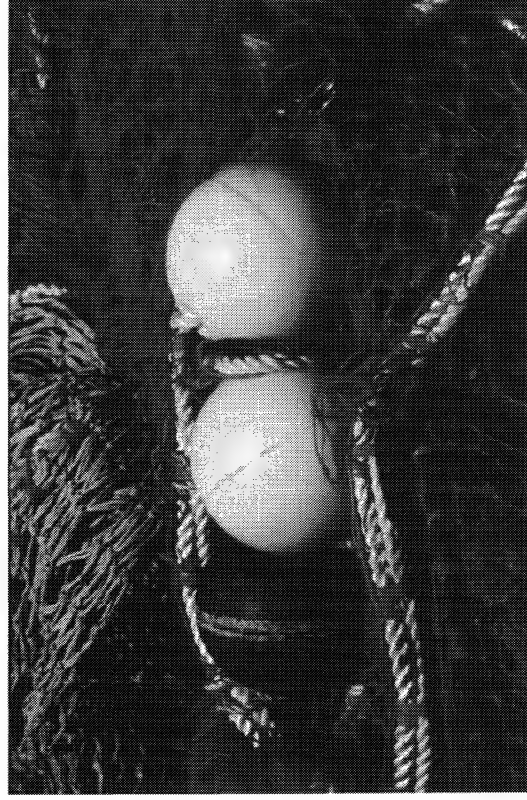
NARW Pre-Arrival Activities

- Flights to determine NARW presence before fisheries open, e.g., via C&P aircraft or to the extent possible via scheduled science overflights
- Opening of certain fisheries early as conditions become favourable and safe, enabling fleets to fish before NARWs are present.
 - Ongoing discussion with Canadian Coast Guard (CCG) regarding ice breaking activities
- Education and awareness with respective internal and external stakeholders and partners.
 - Ensuring harvesters understand conditions of licence related to marine mammals.
 - Encourage harvesters to fish early in the season, before NARW arrive.



Pre-Arrival “Gear-up”

- Implementing measures and licence conditions for fisheries that pose the greatest risk of interacting with NARWs:
 - A reduction on floating fishing line;
 - Maximum distance between a principle and secondary buoy;
 - Sequential numbering of buoys;
 - Mandatory reporting of lost fishing gear;
 - Mandatory reporting of interactions with marine mammals.
- Gradual implementation of rope marking for gear identification (e.g., Southern Gulf crab fishery will be employing this year).





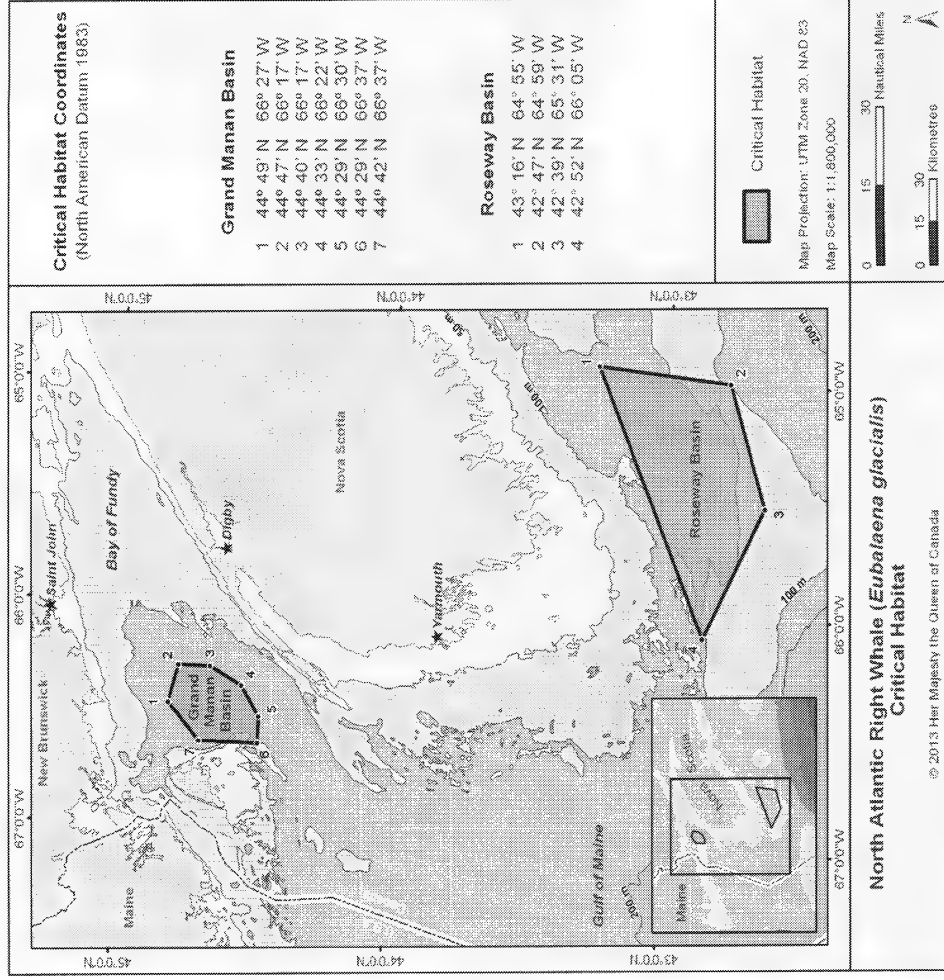
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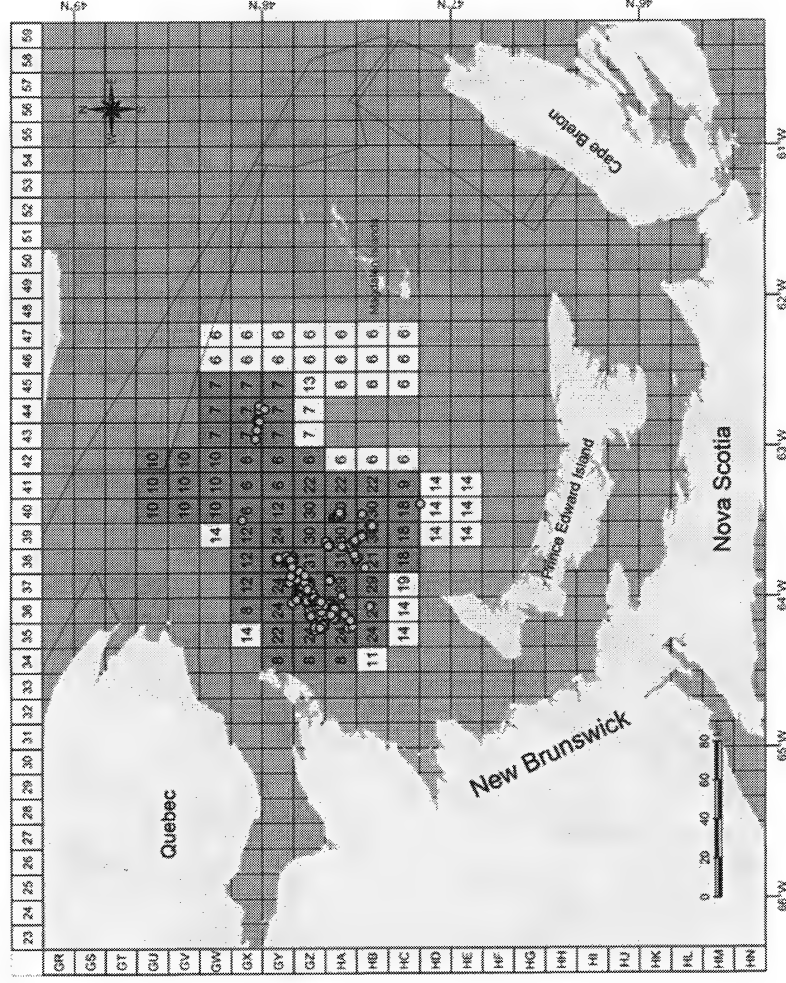
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July 2017



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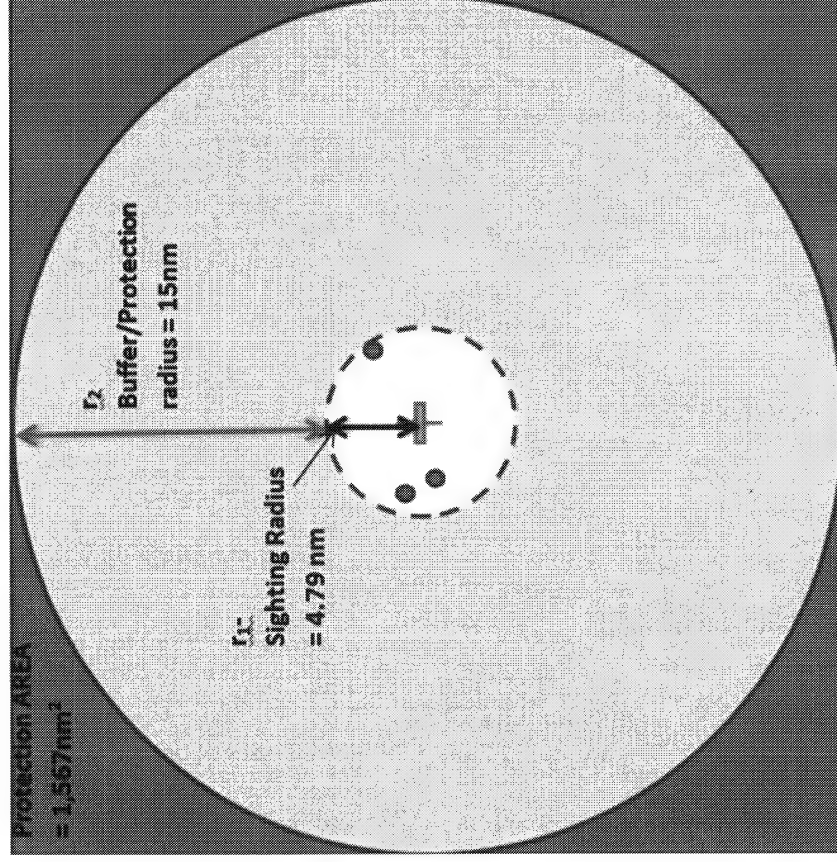
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- NOAA also adds a 15nm buffer.



Total protection radius: $r_1 + r_2 = 19.79 \text{ nm}$

Total protection AREA = $19.79 \text{ nm} \times 2$ (square dimension)

$39.58 \text{ nm} \times 39.58 \text{ nm}$

$= 1,567 \text{ nm}^2$



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Canada



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Canada



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Questions / Discussion

Canada

MacLellan, Elizabeth

From: Daley, Annette
Sent: March-02-18 9:01 AM
To: Burns, Adam; Lapointe, Sylvie; Vincent, Patrick; Lemire, Maryse; Quinn, Frank; Wentzell, Doug; Valkenier, Mary-Ellen
Cc: Sylvestri, Nicholas; Jenkins, Randy; Buie, Jennifer
Subject: RE: NARW mitigation overview document for Minister
Attachments: Min Brief One Pager NARW Mit Meas_.docx

Comments in the attached.

Annette

From: Burns, Adam
Sent: Thursday, March 1, 2018 5:25 PM
To: Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Sylvestri, Nicholas <Nicholas.Sylvestri@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>
Subject: NARW mitigation overview document for Minister

Hi,

Find draft document attached. This could form the basis for a decision note. While it is longer than a "one pager" there is necessary context in the document to inform consideration.

Views as early tomorrow as possible appreciated.

Not for further distribution at this point.

Adam

North Atlantic Right Whale Planned Activities 2018

Objective:

A plan of action to prevent and mitigate North Atlantic Right Whales interactions in Canadian waters, while also supporting fishing activity, through a variety of tools and measures to lower the risk of mortalities in 2018. .

To have a plan of action that is complementary with the plan proposed by Transport Canada, while recognizing that the circumstances, the geographic scope, and the number of available measures differ in scale and application.

Background:

An unprecedented mortality event concerning North Atlantic Right Whales (NARW) occurred in the Southern Gulf of St. Lawrence (SGSL) in 2017. NARWs are more likely to be entangled in fishing gear while foraging and are more susceptible to being caught in rope used in fixed gear (vertical line) and long line fisheries. Last year, two mortalities were attributed directly to Crab Fishing Area (CFA) 12 in the SGSL and five NARW were observed to be entangled in snow crab fishing gear last year. The resulting mortalities have led to uncertainty with regards to the Southern Gulf snow crab fishery Marine Stewardship Council (MSC) certification, and could also impact market access to the United States due to import requirements under the *Marine Mammal Protection Act (MMPA)*.

As a result, Fisheries and Oceans Canada (DFO) is developing a plan of action, including a suite of mitigation measures to give regional managers the tools necessary to reduce the risk of fishery activities from interacting with NARWs. Mitigation measures will focus on areas of NARW aggregation and fisheries that pose the greatest risk to NARWs (e.g., snow crab). DFO is working with industry, the US National Oceanic and Atmospheric Administration (NOAA) and federal partners such as the Canadian Coast Guard (CCG) and Transport Canada (TC) on these measures.

However, measures are being developed while there are significant data gaps concerning NARW foraging and migration patterns from year to year. Attempting to predict where the NARWs will aggregate, forage and when, is the greatest challenge that DFO faces in developing effective mitigation measures.

Management Measures:

Management measures reflect a variety of tools to prevent, identify, or reduce the risk of an entanglement event. They also provide a mechanism for data collection that will serve to better understand marine mammal interactions and opportunities for improvements in management. The measures and licence conditions below are for fisheries that pose the greatest risk of NARW interactions (e.g. fixed gear):

- a reduction on floating fishing line;
- maximum distance between a principle and secondary buoy;

- gradual implementation of coloured markings on fishing lines to enable zone identification;
- sequential numbering of buoys for the purpose of?;
- mandatory reporting of lost fishing gear is there a plan for tracking, monitoring or retrieval?;
- and, mandatory reporting of interactions with marine mammals.

These measures will be in place in the Southern Gulf snow crab fishery; the Department will work with other fleets to ensure that these measures are established in the near-term.

If required, variation orders could be utilized to open and close seasons early or late. A consensus was reached at the Southern Gulf Crab Advisory meeting that efforts will be made to open the season as soon as possible (i.e. early April) and will close 15 days early on June 30.

Also, requirements of gear tending, where harvesting vessels would stay close to gear where deployed, are also being explored for a broader range of fisheries. Under current licence conditions, Gulf crab is required to tend gear every 72 hours.

Temporal-Spatial Measures:

Pre-season arrival

- Flights to determine NARW presence before fisheries open such as Conservation & Protection (C&P) aircraft or to the extent possible via scheduled science overflights.
- DFO and the CCG to explore the opening of fisheries early on a sector by sector basis, as conditions become favourable and safe. This action could allow fleets to complete their fishing activities and remove gear from the water earlier than typically conducted, potentially before NARW migrate into fishing areas.
- Pre-season education and awareness would target respective internal and external partners (DFO, CCG, Transport Canada (TC), fish harvesters, third-party observers and Environmental Non-Government Organizations (ENGOS)).
 - Education and awareness would focus on whale identification, how to report (e.g., phone, email, radio, etc.) and improving the quality of reports through established criteria (e.g., picture, description and coordinates).

In-season

- Aerial surveillance will be the key method of verifying NARW presence. Opportunistic sightings from vessels (e.g., CCG, C&P, harvesters and ENGOS) are being considered to be incorporated into management decisions. Secondary detection from deployed gliders is also being considered.
- Proactive and heightened communications to inform harvesters of measures and alerts on whale presence to foster greater collaboration between industry and the Department.
- A dynamic management area (DMA) could be triggered if three or more NARWs Comment: this measure usually comes with a special measure (three whales within. . .), or a mother and her calf, are verified by aerial surveillance. This temporary closure of an area would be for a predefined time period (i.e. 15 days) and would only be lifted as the result of at least two

surveillance flights showing that the whales have left the area. The size of the DMA and the time period for harvesters to collect gear are currently being evaluated by DFO staff. Time periods such as 24-72 hours are being considered.

Static management area (SMA) closures would apply if there is a significant number of NARWs aggregating for an extended period of time. Consideration is being given to a significant area in the Southern Gulf of the St. Lawrence (SGSL) where NARWs aggregated in 2017.

Data Collection and Decision Making Protocol:

Measures will be targeting verified aggregations of NARW (3 or more or a mother and calf). DFO will establish a centralized coordinator that will collect all NARW reports and package relevant data for a regional "NARW Core Team" to make decisions on implementing mitigation measures. Participants in the NARW Core Team would include resource managers, science and C&P. The NARW Core Team would meet on an as needed basis to decide on the appropriate mitigation measures for the situation. Further operational components of this approach are still in development.

Considerations for the Plan of Action for NARW:

- There is heightened sensitivity with regards NARW mortalities in the media and by environmental non-government organizations (ENGOS). For instance, it was recently reported that NARW calves were absent from traditional breeding grounds in southern waters close to Florida. With an estimated population of 450 animals, a lack of breeding, even for one year, could pose significant risk to the species.
- The proposed approach does not completely rule out the possibility of NARW entanglements and fatalities this year and would likely need to be adapted throughout the fishing season to address capacity issues and unforeseen gaps. The national mortality limit for NARW is zero and human activities that harm NARW are not permitted under *SARA*. The national limit was set by DFO's Recovery Potential Assessment and the DFO Recovery Strategy for NARWs.
- The approach would demonstrate to the public and key trading partners (e.g., US implementation of *Marine Mammal Protection Act*) that mitigating risks to NARWs is a priority for Canada.
- Aerial surveillance will be the key tool to verify NARW presence, which would result in triggering area closures such as SMAs and DMAs. However, aerial surveillance is weather dependent and is also limited by the number of assets available.
- Furthermore, departmental officials have raised concerns with regards to the Government of Canada's aerial surveillance capacity. For instance, the Department's aerial surveillance budget allocates a set amount of flight hours dedicated to NARW surveillance. This allocation could potentially be exhausted before the end of the fishing season if there is significant demand to dispatch planes to verify reports. Also, diverting resources from

NARW surveys to NARW surveillance limits the ability of the Department to further develop science advice (e.g., forecasting aggregation areas and ability to conduct risk assessments of mitigation measures) on the issue.

- DFO is working with the CCG to determine if earlier services from their ice-breaker can be possible. CCG has advised that opening seasons early would be at great risk to harvesters as well as fishing gear and may not be feasible unless weather conditions are favourable.
- At the Southern Gulf crab advisory meeting that took place on February 28, 2018, DFO presented elements of the mitigation approach to industry. Industry had a mixed response to the measures being proposed:
 - SMA – not in favour, “fencing” was raised as the key issue. Fencing poses a risk and is a result of traps placed around the proximity of a closed area, creating a “fence of fishing gear” that would surround a NARW aggregation and increase the likelihood of entanglement.
 - DMA – some openness but concerns were raised over surveillance and monitoring
 - Early season opening – harvesters were open to this approach but noted the dependence on weather and ice conditions
 - Vessel Monitoring System (VMS) – consensus to pay extra \$10/month to increase data transmitted from vessels from every 15 minutes to 5 minutes. This would assist in having a more accurate description of vessel and gear location.
 - Gear retrieval – safety was raised as the key concern with regards to a 24 hour requirement to retrieve gear. 72 hours was noted as a safer approach, and it is a current licence condition requirement
 - Trap reduction – number of traps/licence holder will already be reduced compared to 2017 as a result of lower Total Allowable Catch

s.21(1)(b)

- DFO is considering equivalent measures to what NOAA has implemented with regards to DMAs. NOAA classifies an aggregation as NARW density of $0.04/\text{nm}^2$ (three NARWs within a 4.79 nm radius). [REDACTED] NOAA then implements a DMA that covers a total area of 1,567 square nautical miles. DFO could adopt this approach or adopt a DMA that does not represent such a significant closure. The smallest DMA being explored would be 225 square nautical miles. Industry would likely be more open to a closure of a smaller area but then we would not be implement a measure that is equivalent to NOAA's, which could have implications with regards to the requirements under the *MMPA*. The Department is currently refining this approach.
- SMAs and DMAs would decrease risks to verified aggregations of NARWs and would provide incentive for harvesters to fish early in the season before NARWs migrate into the area.
- However, closures could result in decreased economic benefit to rural fishing communities, lack of incentive for harvesters to comply with marine mammal and lost gear reporting requirements, fencing effect and could lead to a concentration of fishing effort by displaced

harvesters in adjacent areas. Significant NARW presence could result in closures which ultimately prevent eligibility for employment insurance benefits for vessel and shore-based workers.

- Specifically for DMA, there is uncertainty regarding the capacity to manage, especially if multiple DMAs are in effect (e.g., ability to patrol/enforce over large geographic areas in different regions).
- DFO is engaging NOAA on whale mitigation measures as part of the Canada-US Working Group on Cetaceans. The working group last met in December 2017 and will be meeting again in April 2018.
- The analysis presented in the Canadian Science Advisory Secretariat (CSAS) report on NARW presence in the Gulf of St. Lawrence indicates that NARWs may be present by late April. TC is basing its approach on this advice and has chosen April 28 as the start date to implement its measures such as SMA and DMA. DFO could consider adopting this date as part of a government-wide approach for implementing a SMA in the SGSL. However, this would leave a small window of opportunity for harvesters to conduct their fishing activities and industry is not in favour of this approach.
- TC is proposing the establishment of two shipping corridors (divided into sections) that are north and south of Anticosti. These shipping corridors, specifically the sections within, would be managed under the DMA approach. Vessels would travel at normal speeds unless a DMA for a section of the corridor is activated. The corridor to the south of Anticosti is divided into three sections and the corridor north is a single section. A mandatory slow down to 10 knots would be required if a DMA is triggered (a mother and a calf or 3 or more NARW aggregating). The slow down period would last for 15 days and could be extended by an additional 15 days from the last sighting. If NARWs are not seen during at least two aerial surveillance flights in good conditions during the second week of the 15 day period, the slow down for relevant sections of the shipping corridors would automatically be lifted. The shipping corridors would also be surrounded by a SMA as a buffer. The SMA would have a 10kn speed limit requirement for vessels 20 meters or greater and the requirement would be voluntary for smaller vessels.
- The Department is also working in collaboration with TC with regards to the protocol for the DMA, especially with regards to aerial surveillance, which will be the main tool to verify whale aggregations.
- I believe we need to mention live entanglements and what the plan is for this. There will be huge public interest if a live whale is left entangled.

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MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: March-02-18 4:46 PM
To: Burns, Adam; Ellen Burack; Gaudet, Julien D; Humphrey, Donald; King, Rhea L; Landry, Jean; Quinn, Frank; Vincent, Patrick; Cormier, Jacinthe; Fenton, Derek; Lambert, Robert; Dwyer, Judy; Busby, Corina; Nadeau, Simon
Cc: Daley, Annette; Veilleux, Christopher; Winfield, Nicholas; Buie, Jennifer; Doucet, Serge; Goetze, Darren; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Valkenier, Mary-Ellen; Vézina, Alain; Wentzell, Doug
Subject: For Review: Draft RoD ASC for NARW Feb 28, 2018 / Pour examen: Ébauche CR sur BNAN 28 févr 2018
Attachments: Draft RoD - ASC for NARW Feb 28 2018 (draft 2018-03-02).docx

Good afternoon,

For your review, attached is a draft Record of Discussion from the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on February 28, 2018. Please advise if you have any edits for the record by March 9, 2018 (when it will be sent for translation).

I am emailing this document as most members have not joined the GCconnex group yet. Please let me know if you not received the invitation (it's an automated message) or if you have any difficulty joining. Thank you.

Pour examen, vous trouverez ci-jointes le version provisoire du compte rendu des discussions de la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 28 février 2018. Veuillez me dire si vous avez des corrections pour ce compte rendu d'ici le 9 mars 2018 (quand il sera envoyé pour la traduction).

J'envoie ce document par courriel parce que le plupart de membres n'a pas encore joindre le groupe sur GCconnex. Veuillez me contacter si vous n'avez pas reçu l'invitation (c'est un courriel automatique) ou si vous avez de la difficulté à joindre. Merci.

Bonne fin de semaine.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on February 28, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Regional Director, Fisheries Management (Chair)
Rhea King	Regional Director, Ecosystems Management
Derek Fenton	A/Director, Oceans Management
Jacinthe Cormier	A/Regional Director, Science
Donald Humphrey	A/Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Frank Quinn	Regional Director, Fisheries Management
DFO Quebec Region	
Patrick Vincent	Regional Director General
DFO Newfoundland and Labrador Region	
Robert Lambert	Director, Oceans Management
Canadian Coast Guard, Atlantic Region	
Julien Gaudet	Superintendent, Marine Communications and Traffic Services
DFO National Headquarters	
Christopher Veilleux	Senior Director, Financial Management Advisory Services
Adam Burns	Director General, Fisheries Resource Management
Randy Jenkins	A/Senior Director, Integrated Resource Management
Judy Dwyer	Director, Enforcement Operations, Conservation & Protection
Corina Busby	Manager, Biologist, Integrated Species at Risk
Jean Landry	Director, Fish Population Science
Simon Nadeau	Senior Advisor, Fish Population Science
Transport Canada	
Helen Burack	Director General, Environmental Policy



	TOPIC	LEAD
1.	Welcome and Introductions Review of Record of Discussion	Annette Daley
<p>The Record of Discussion from the meeting on February 14, 2018, was circulated earlier by email. Any suggested edits can be sent to Sheila Prall Dillman by March 2, 2018. It will then be considered final.</p> <p>A GCconnex group has been created for this committee and meeting materials will now be distributed on its webpage. Members are asked to contact Sheila Prall Dillman if they have not received the invitation to join the group, if they have any difficulty joining, and if they would like others to be added to the group to access materials, e.g., administrative assistants or staff working on NARW.</p>		
2.	Update on Fisheries Management Measures Fisheries Interactions	Adam Burns Randy Jenkins
<p>Adam Burns provided a debrief from a recent meeting with the A/Deputy Minister for DFO (the Deputy Commissioner was acting) and the Deputy Minister for Transport Canada about mitigation measures for vessel interactions and fisheries interactions in 2018. There was agreement that the departments would develop a joint briefing for the Ministers of both departments. There will be a national call led by Sylvie LaPointe on March 1, 2018, to prepare for the Ministerial briefing, which is tentatively set for March 6, 2018. There is expected to be symmetry in the robustness of the mitigation measures proposed for fishing and shipping interactions.</p> <p>For fisheries, the department will propose robust measures to have a low risk of entanglements. This may include closing fisheries before quotas are landed. There may be negative reactions from the fishing industry. The measures will be consistent across fisheries although the level of measures may vary between different gear types and areas where whales are more likely forage.</p> <p>In the discussion, a number of considerations were noted, for example, the department's capacity for surveillance and the industry's ability to remove gear from the water quickly. It may also be a challenge to introduce new licence conditions for fisheries that are already underway. When introducing new measures, it was suggested that measures that prevent entanglements (e.g., reducing floating rope) be prioritized over measures that gather information about entanglements (e.g., marking rope). It was noted that the lowest risk approach involves gear removal, especially where whales are foraging. DFO has gathered information about management measures across the regions but clarity around certain measures is required to promote consistency in the approaches. The Minister has already announced certain measures for the Gulf snow crab fishery and they may not be the same in other fisheries with different risks, e.g., different gear.</p> <p>The department was meeting with the Gulf Crab Advisory Committee today to discuss possible measures. The department will wait for the Minister's approval before communicating specific plans to the industry.</p>		
3.	Budget 2018	Christopher Veilleux
<p>Adam Burns reminded the committee that any requests for funding related to whales should be submitted through Sylvie LaPointe, as the departmental lead for whales.</p> <p>Chris Veilleux provided an initial overview of the funding announced for whales in Budget 2018. For DFO, funding of \$35M was announced for whales, which is \$7M annually for five years. (This would likely focus on the NARW, Southern Resident Killer Whale and Beluga Whale.) Of that amount, it appears that \$25 M is targeted to Ecosystems and Oceans Science. The funds will go into the main estimates, meaning the department will need to make a submission but will not need to wait for post-budget announcements, which will expedite the process to receive the funds.</p> <p>The concept of whales as an initiative was endorsed. There was also conditional approval of \$50M over 5 years for initiatives. This means the department will need to do some work to go through with the initiatives. That work</p>		



is not funded and will need to be sourced internally.

The new funding will likely be insufficient to implement the proposed management plans for NARW. The committee discussed the process for accessing the Results Fund for 2018-19 (the 2% departmental reserve). Decisions are not expected on proposals submitted for this fund until fiscal period 3, but there are mechanisms to expedite requests if required.

Management plans for the NARW will need to be in place before April, when the whales are expected to return to the Gulf of St. Lawrence, and the plans are dependent on surveillance for whales. Therefore, Science decided to risk-manage the procurement process for surveillance flights and the hiring of a number of marine mammal observers to board the flights. The results of the procurement process are expected by the end of March and the marine mammal experts will develop the surveillance plan next week. Therefore, decisions are required very soon on the level of funding for surveillance for this year. Fisheries Management will also require funds for staff to board the flights, for marine mammal response efforts, for enforcement and other responsibilities.

Transport Canada received \$85M for whales in the budget, although much of this was for the west coast. The department's plans for NARW in 2018 were not dependent on new funding. The department is working to increase its capacity for monitoring this year but the financial requirement is not yet known.

For Action:

- Chris Veilleux's team will work with Sylvie LaPointe right away to quantify the additional funding that DFO requires, given the time sensitivity. He will receive further details about the budget at upcoming meetings with the Department of Finance and Treasury Board Secretariat and will share any new information with this committee at the next meeting and/or by email.

4.	Vessel Interactions	Ellen Burack Patrick Vincent
<p>Ellen Burack provided a further update on the recent meeting with the Deputy Ministers of DFO and Transport Canada. As Adam Burns had reported, there was agreement to provide more information on fisheries management measures so the approaches to shipping and fishing could be assessed for consistency and level of economic hardship (recognizing that solid numbers on economic hardship are not available for either industry). A key point in the discussion of consistency was the trigger for escalating management measures being one whale versus more than one whale.</p> <p>The Deputy Ministers had asked a number of questions. For example, if the departments had considered extending the mandatory slowdown to smaller vessels (under 20 metres). Transport Canada will present pros/cons and considerations around this, for example, the suggestion that some deaths could have been caused by smaller vessels but enforcement would be different as smaller vessels do not use the Automatic Identification System as consistently as larger vessels. The Deputy Ministers asked about the plans for areas outside the proposed slowdown box, and the departments are mindful that slowdowns may be required in other areas. The Deputies also asked for a Communications strategy to identify who should be engaged and when. The departments may also have bi-weekly reporting to the Ministers on where whales are sighted and on compliance with management measures for fishing and shipping.</p> <p>Patrick Vincent provided an update on behalf of the working group that had been formed to consider management approaches for shipping in areas outside the western Gulf of St. Lawrence. Nicole Bouchard, Regional Director, Ecosystems Management, Quebec Region, is leading the group. The group had two meetings and considered measures that could be put in place. They would propose that the same measures for western Gulf of St. Lawrence would be applied elsewhere as they did not see a justification to exclude other areas. However, the group wants to develop a better understanding of the Government of Canada's authority in certain marine areas, for example, between the 11 mile limit and 200 mile limit (between provincial and international jurisdictions). Another consideration is the level of monitoring for other areas. For now, the group is awaiting the outcome of the Ministerial briefing with respect to approaches for the western Gulf of St. Lawrence.</p>		



s.21(1)(b)

For Action:

- The Ministers of DFO and Transport Canada will be briefed next week (tentatively set for March 6th) on the recommended management approaches for fishing and shipping interactions, including the associated issues, risks, implications, roll-out strategies and reporting approaches.

5. Research, Risk Assessment and Monitoring

Jean Landry

In addition to the update provided as part of the discussion of the budget (above), Jean Landry reported that the list of requests for science advice submitted to the Canadian Science Advisory Secretariat (CSAS) and the associated work plan will be presented to the Regional Directors of Science at a meeting in Ottawa this week. Any requests related to NARW would also require approval by Sylvie LaPointe. [REDACTED] the requests exceed the resources available. Science will also need to prepare for unexpected requests, such as the NARW events last summer. If they are asked to do more for whales with fewer resources, it will impact other aspects of the Science program.

For Action:

- Jean Landry will provide a further update on the CSAS work plan at the next meeting.
- It was confirmed that Science has been involved in discussions about the advice that DFO and Transport Canada will provide to the Ministers, and that Science would like to review the briefing material to ensure the Science advice reflected in the memo/presentation is in line with the current knowledge.

6. Marine Mammal Response

Judy Dwyer

No one was present from the Marine Mammal Response group to provide an update.

Judy Dwyer asked if there is a plan to implement an Incident Command System (ICS) this year to improve communication. If not, she noted that the Canadian Coast Guard offers ICS training and that Conservation and Protection (C&P) may be able to contribute to setting up a system. A number of fishery officers have some training in ICS.

Annette Daley (as the chair) said the offer to support an ICS infrastructure would be helpful and noted that a few committee members are registered for upcoming ICS training. She encouraged Judy Dwyer to speak with Darren Goetze and Sylvie LaPointe about what an ICS plan would look like.

Julien Gaudet emphasized the importance of a long-term approach to ICS training and relying on people who are experienced with ICS. He recommended training to the ICS 300 level at a minimum and ensuring that staff gain experience, e.g., participating in exercises as observers. He noted that ICS can be used in many situations and is scalable but is most useful with complex incidents (normal business processes would likely be sufficient for isolated or routine incidents).

For Action:

- As a starting point, Judy Dwyer will follow-up with Darren Goetze and Sylvie LaPointe over the next few days to discuss the development of a plan for ICS training.

7. Other Business – Processes to Support Decision Making During the Season

At previous meetings, this committee had discussed the need to clarify how decisions will be made during the season. For example, to clarify who will review the science data in light of the approved triggers and procedures and make recommendations to senior management for fisheries and shipping.

At today's meeting, it was noted that there is a need to review lessons learned from last year when the departments were in crisis mode to consider how the regions, sectors and departments interact with each other. Fisheries Management has been drafting Standard Operating Procedures that are intended to identify processes to support operational decision-making for fisheries. However, the committee does not yet have a clear sense of the



overarching governance with fisheries and other sectors/departments. It was suggested that a smaller, streamlined group be formed that would make recommendations to senior management during the season.

It was suggested that the departments could use a small group similar to the one used for the seal hunt. It included different regions and departments, it met regularly and was effective in providing recommendations for decisions.

For Action:

- As the lead for whales, Sylvie LaPointe would need to approve the establishment of any groups or other processes to support decision-making during the season. Annette Daley had raised this with the Sylvie LaPointe previously and will raise it again as the group (or other processes) will need to be set up soon.

8. Next Meeting

The next bi-weekly meeting of the ASC will be on March 14, 2018. Any suggestions for agenda items can be provided to Sheila Prall Dillman (the secretariat).

Since the Atlantic Steering Committee is still in the process of developing management plans for the spring, the bi-weekly meetings will be extended to the end of May 2018. The meeting frequency can be revisited once the plans (or other committees) are in place.

A representative from Communications will be invited to join the meetings as an observer.

MacLellan, Elizabeth

From: Daley, Annette
Sent: March-06-18 9:41 AM
To: Jenkins, Randy; Buie, Jennifer
Subject: Requesting: NARW Mitigation/Response 2018 - DRAFT DECK
Attachments: Proposed_DFO_Mitigation_Measures_for_Right_Whales_DRAFT Feb 27th-Maritim....ppt

Do you have an updated version of this deck? We would appreciate seeing it – thx.

Annette

From: Berthier, Jacinta
Sent: Thursday, March 1, 2018 5:47 PM
To: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>
Cc: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: RE: NARW Mitigation/Response 2018 - DRAFT DECK


Hi Randy,


Please find comments in the attached deck based on our review in Maritimes Region.

We have discussed the maximum length between primary and secondary buoy at the AC meetings this week. The industry is generally considering a 5 fathom maximum, and citing safety due to depth of water they are fishing in, strain on the line and strong currents, etc... We will discuss and brief senior management in the region as part of the briefing note for TAC and Licence Condition changes.

Thanks,
Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: 

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : 

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From: Jenkins, Randy

Sent: Wednesday, February 28, 2018 9:16 AM

To: Blanchard, Tony <Tony.Blanchard@dfo-mpo.gc.ca>; Kean, Jackie <Jackie.Kean@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Potter, Ted <Ted.Potter@dfo-mpo.gc.ca>; LeCouffe, Marc <Marc.LeCouffe@dfo-mpo.gc.ca>; Gros-Louis, Denis <Denis.Gros-Louis@dfo-mpo.gc.ca>; Morin, Bernard <Bernard.Morin@dfo-mpo.gc.ca>

Cc: Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Sylvestri, Nicholas <Nicholas.Sylvestri@dfo-mpo.gc.ca>

Subject: NARW Mitigation/Response 2018 - DRAFT DECK

Attached is the revised draft deck being prepared to brief on the DFO NARW mitigation measures/Response posture for 2018... we are adding the pieces as discussed on the call yesterday but it is still a work in progress so feel free to submit comments and questions or new emerging plans for NARW. We will NOT be going through this on today's call (but if someone has something to raise please do).

Thanks.

Randy

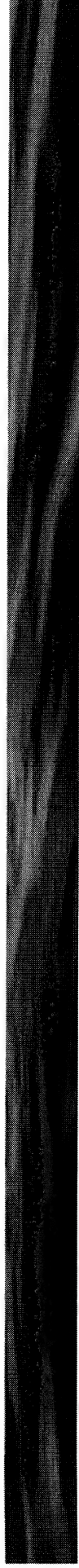
Randy P. Jenkins
a/Senior Director - Integrated Resource Management
Directeur principal intérimaire - Gestion des ressources intégrées
Ecosystems and Fisheries Management / Gestion des écosystèmes et des pêches
200 rue Kent Street, 13S026
Ottawa, Ontario, K1A 0E6

Tel/Tél.: (613) 993-1798 Fax/Télécopieur: (613) 990-7051
E-Mail / Courriel: Randy.Jenkins@dfo-mpo.gc.ca

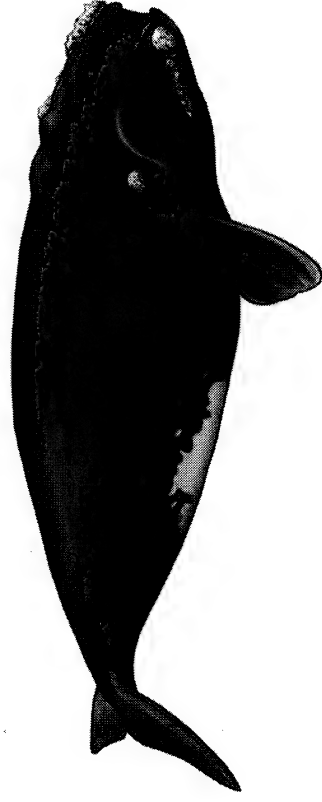


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Proposed Fisheries Mitigation Measures for North Atlantic Right Whales



Canada



Objective & Context

Objective:

- To provide an update on the management measures proposed by Fisheries and Oceans Canada (DFO) to protect North Atlantic Right Whales (NARW).

Context:

- In response to the unprecedented mortality event that occurred in 2017, DFO has made it a top priority to reduce risks to NARWs. Risk tolerance is extremely low.
- Fishery component is complex, with many variables to consider such as geographic scope, monitoring requirements and gear characteristics.
- Seasonality with regard to NARW presence, approximately 9 month window from April – December based on historical data.
- Proposing a “toolbox approach” where regional fisheries managers would have measures available to apply when needed.
- Industry is motivated to initiate and adopt measures to avoid interactions to maintain access to key markets; however, the industry will likely resist blanket measures being applied without strong BJ1 evidence of NARW presence / interaction.
- Planned mitigation efforts for 2018 are significantly improved as a result of heightened engagement with industry and internal coordination amongst DFO sectors.
- Continuing to gather data to inform fisheries management decisions; significant data gaps exist with regard to NARW distribution.
- In the Southern Gulf, there will be less crab gear due to lower total allowable catch.

Slide 2

- BJ1** Perhaps the context ought to include a reference to the need for a variety of measures based on NARW behaviour - migration, feeding, aggregation, to avoid pushback related to blanket measures and promote stronger collaboration in finding an acceptable mitigation measure.

Berthier, Jacinta, 01/03/2018



NARW Pre-Arrival Activities

- Flights to determine NARW presence before fisheries open, e.g., via C&P aircraft or to the extent possible via scheduled science overflights
- Opening of certain fisheries early as conditions become favourable and safe, enabling fleets to fish before NARWs are present.
 - Ongoing discussion with Canadian Coast Guard (CCG) regarding ice breaking activities
- Education and awareness with respective internal and external stakeholders and partners.
 - Ensuring harvesters understand conditions of licence related to marine mammals.
 - Encourage harvesters to fish early in the season, before NARW arrive.

Slide 3

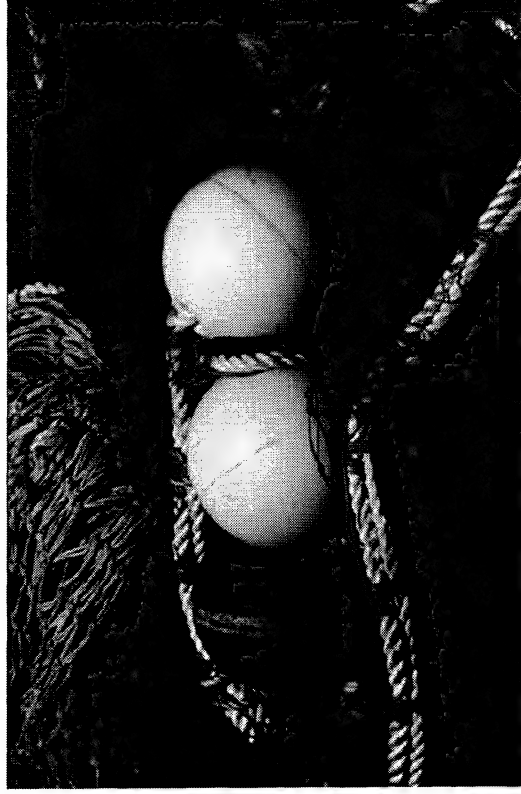
- BJ2** While the focus is on the Gulf of St. Lawrence, migration of whales to the Gulf will have a potential for interaction with Lobster and Crab gear in Maritimes Region as well. Pre-flights / science survey to include the Scotian Shelf.

Berthier, Jacinta, 01/03/2018



Pre-Arrival “Gear-up”

- Implementing measures and licence conditions for fisheries that pose the greatest risk of interacting with NARWs:
 - A reduction on floating fishing line;
 - Maximum distance between a principle and secondary buoy;
 - Sequential numbering of buoys;
 - Mandatory reporting of lost fishing gear;
 - Mandatory reporting of interactions with marine mammals.
- Gradual implementation of interregional rope marking for gear identification (e.g., Southern Gulf crab fishery will be employing ^{MS2}his year).



Slide 4

MS2

perhaps it should be noted that these measures will all be implemented in the Gulf fishery, and note that most will be implemented in other regions (Maritimes region recently consulted on the floating line and distance between buoys for snow crab and will implement to some extent.
DFO-MPO, 01/03/2018



In-Season Measures – Toolbox

- Surveillance and sightings:
 - Aerial surveillance will be the key method to verify NARW presence
 - Considering opportunistic sightings from vessels (e.g. Canadian Coast Guard, harvesters)
 - Secondary detection from deployed gliders expected over the season
- Variation orders to open and close seasons early/late.
- Proactive and heightened communication to inform harvesters of measures and encourage collaboration:
 - Importance of reporting NARW sightings MS3
 - Alerting of NARW presence
 - Reporting of lost gear
- Explore further measures regarding gear reduction MS5
- Requirement of gear tending

Slide 5

MS3

messaging on this needs to be well thought out and the approach will likely vary depending on what is decided on triggers for closures. If we are saying 1 triggers a closure, we risk losing eyes on the water. If this is the case, we need to do more on communicating the facts of risks faced if we have more incidents in Canada this year (MSC, markets both within Canada and abroad, public scrutiny/attention). A socio-economic impact study might help to give rough estimates of what implications this could have on specific industries as well as the economy at large for the region.

DFO-MPO, 01/03/2018

MS5

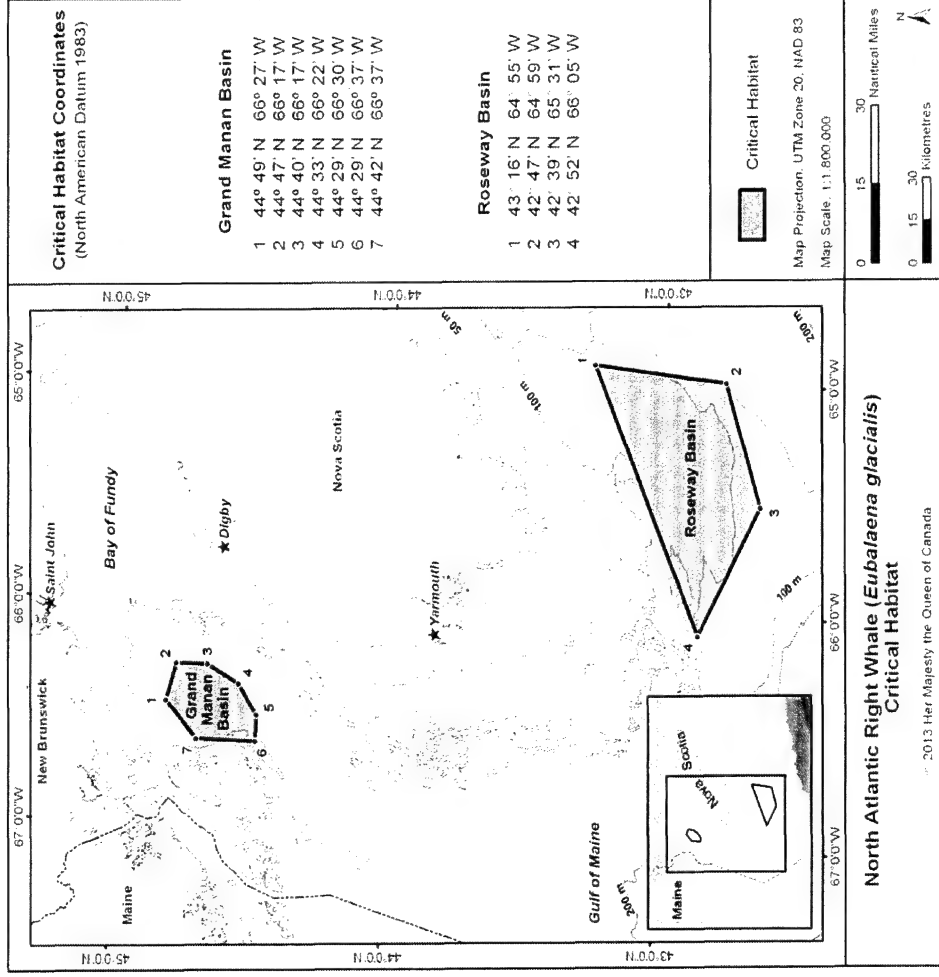
Unless we are ready to say who/how is working on this piece, or to provide clear directives to explore these measures with industry, this may be problematic. In Maritimes Region one option of flexible partnerships has recently been ended; while, traditional partnerships are still available, this is a change from the 2017 season that we implemented in relation to PIIFCAF. Industry has requested that it be re-instated.

DFO-MPO, 01/03/2018



Static Management Area (SMA)

- SMA closures would apply if there is a significant number of NARWs aggregating for an extended period of time.
 - For example, main aggregation area in Southern Gulf could be closed as of May 15 for the remainder of season when whales are likely to be present.
- Closures could be proposed for critical habitat areas as indicated by the NARW Recovery Plan (e.g., Roseway Basin and Grand Manan Basin).
 - However, NARW presence in the two areas has been minimal over the last 2 years.
 - Would require further examination.





SMA Pros and Cons

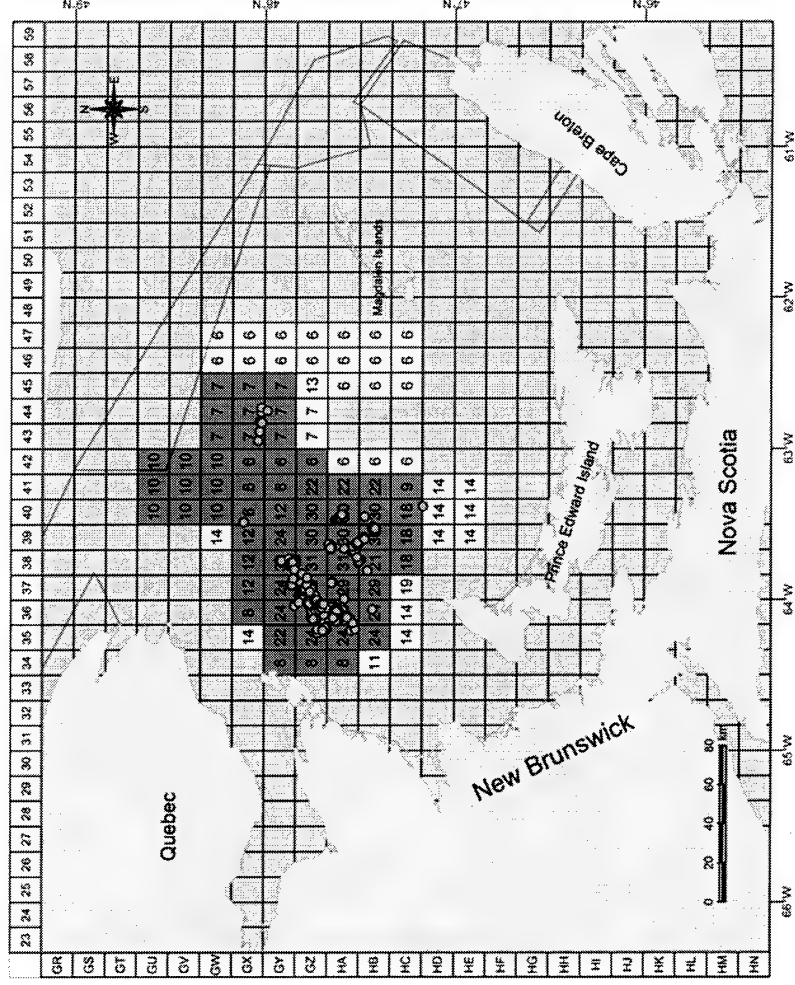
- Pros:
 - Significant decrease of risk to NARWs aggregating since area will be absent of fishing gear.
 - Incentive for harvester to fish before May deadline.
 - Managing a larger area may be more effective than smaller areas with regards to reopen and closing.
 - Clear deadline for closure established.
- Cons:
 - Could result in decreased fishing effort by harvesters and loss of economic benefits.
 - Closure of any kind could result in harvesters not complying with reporting requirements.
 - Could concentrate fishing in adjacent areas with displaced harvesters. Will likely add pressure on Conservation and Protection operations for monitoring.



Dynamic Management Area (DMA)

- A DMA could be triggered if three of more NARWs, or a mother and her calf, are verified by aerial surveillance in a predetermined grid size.
- Grid system already in place for soft shell crab; can be adapted for DMA.
- A DMA would be in effect for 15 days. Aerial surveillance would need to verify that NARWs are no longer present to reopen the area.
- DMA's would apply to fisheries with vertical line (fixed gear) and long-line.
- DMA scenarios are outlined on the slides that follow.

July 2017



Graph is for illustration purposes only. Dots are confirmed whale sightings. Red represents closed area. Yellow would signal to harvesters to be on alert as NARWs have been seen transiting.



General DMA Pros and Cons

- **Pros:**
 - DMA allows continued economic benefit to harvesters while temporarily closing areas where NARWs are aggregating.
 - Harvesters would be able to move gear to a new area and continue fishing.
- **Cons:**
 - Uncertainty regarding the capacity to manage, especially if multiple DMA areas are in effect:
 - Ability to patrol/enforce DMAs over large geographic areas in different regions (e.g., Gulf and Maritimes) with limited resources – if many are triggered at the same time
 - Ability to verify sightings and reopen areas
 - Scenario where NARW aggregation is moving and triggers multiple DMAs (rolling closures/hard closures in some areas, soft in others)
 - Department needs to ensure that the “fencing effect”, harvesters moving gear to border of DMA could surround whales, does not occur.
 - Closures of any kind could impact the incentive for harvesters to complying with reporting requirements.
 - Flights are subject to weather and information gathered from the flights is also subject to visibility
 - Likelihood that prolonged closures could have economic impacts for fishing industry and other sectors



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DMA Scenario #1

(smaller zone)

- Closure Size
 - Approximately 150 nm² (12.23nm x 12.23nm) or 538 km² (23.2 km x 23.2 km)
- Pros
 - Allows for targeted closures
 - Regions implemented closures similar in size last year
 - Industry is familiar with this size of zone closure
 - Uses pre-existing grid system
- Cons
 - This approach is approximately 4 times less sensitive than the US NARW trigger.



DMA Scenario #2

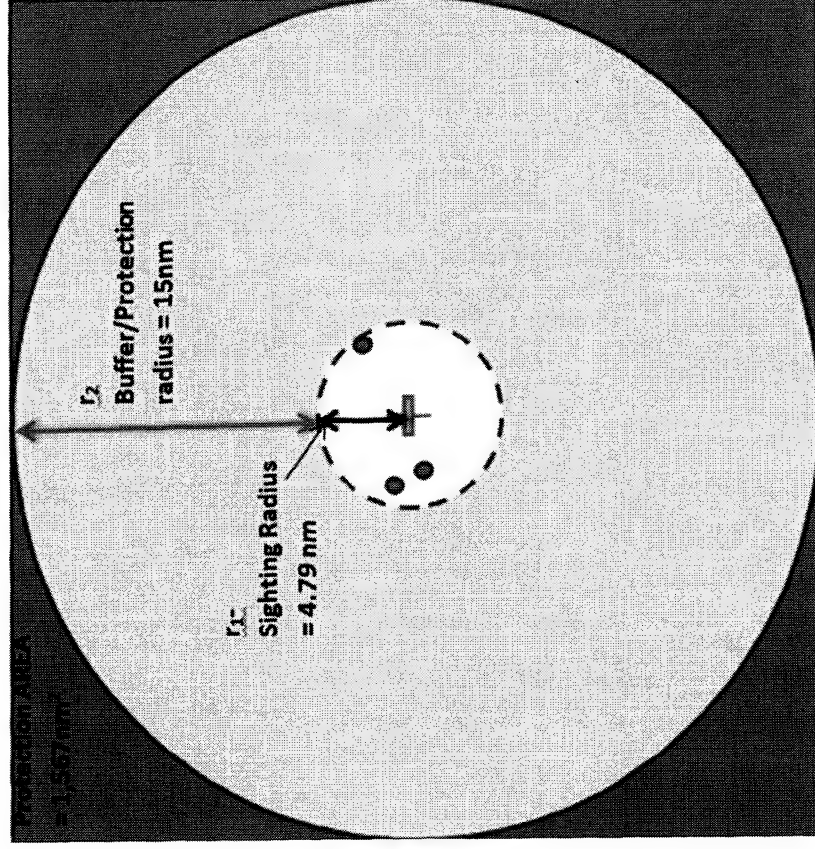
(size equivalent to NOAA)

- Size
 - Approximately 1566 nm² (39.58nm x 39.58nm) or 5374 km² (73.3km x 73.3km)
- Pros
 - Equivalent to NOAA's approach based on NARW movement studies
 - Demonstrates that Canada is treating risks to NARWs as a priority
- Cons
 - Significant closure that would have broad implications on the harvesting sector



DMA Scenario #2 - Aggregation Trigger

- Based on US National Oceanic and Atmospheric Administration (NOAA) criteria.
- Aggregation density of $0.04/\text{nm}^2$ (3 NARWs within a 4.79 nm radius) would trigger a closure.
- NOAA also adds a 15nm buffer.



Total protection radius: $r_1 + r_2 = 19.79\text{nm}$

Total protection AREA = $19.79\text{ nm} \times 2$ (square dimension)

$39.58\text{nm} \times 39.58\text{ nm}$

$= 1,567\text{ nm}^2$

12



Before April 28th - Single NARW

- Transport Canada has chosen April 28th to implement their proposed measures based on the analysis presented in the Canadian Science Advisory Secretariat (CSAS) report on NARW presence in the Gulf of St. Lawrence.
- DFO could consider this date to ensure that a government-wide approach is being followed.

If a single NARW is sighted before April 28th, triggers a “heightened alert” but not a closure.

- A broadcast will inform harvesters that a closure could be imminent and they should begin preparation to collect their gear.
- Mariners in the area are to be on “high alert”.
- If available, divert aerial surveillance or other government assets to verify the sighting.
- If it is the beginning of an aggregation, could signal the beginning of a fishery closure.

Canada



Before April 28th – Aggregation of NARW

- Once an aggregation (3 or more, or a mother and her calf) of NARWs is verified by aerial surveillance, an area closure will be triggered.
- Harvesters will have a maximum of 72 hours to collect gear.
- If gear is not collected, the harvester could face charges as a result of not complying with their licence conditions.
- A DMA closure would be implemented.

Pros:

- Likelihood of NARW aggregation before April 28 is lower than after that date.
- 72 hours for gear collection keeps harvester safety in mind in terms of collecting gear.
- Incentive for harvesters to fish their quotas before the April 28th date.

Cons:

- 72 hours to collect gear still presents risk of NARW entanglement.



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After April 28th – Single NARW

- Transiting B14
- Near foraging area

Slide 15

- BJ4** If we can consider the foraging zone / map to ensure that single transiting whales in Eastern Nova Scotia are not triggering 2 week closures, that will be crucial to maintaining industry adherence to measures.

Berthier, Jacinta, 01/03/2018



After April 28th – Aggregation

- Once an aggregation (3 or more, or a mother and her calf) of NARWs is verified by aerial surveillance, an area closure will be triggered.
- Harvesters will have a maximum of 24 hours to collect gear. BJ5
- If gear is not collected, the harvester could face charges as a result of not complying with their licence conditions.
- A DMA closure would be implemented.

Pros:

- 24 hours for gear collection reduces risk to NARW being entangled.
- More stringent conditions creates incentive for harvesters to fish their quotas before the April 28th date.

Cons:

- This could become a human safety issue due to increase urgency to collect gear within a 24 hour period/

Slide 16

BJ5

we are told by harvesters that 24 hours will not be sufficient to retrieve all gear; however, that will be dependent on the size of the closure and gear concentration.

Berthier, Jacinta, 01/03/2018



Seeking Decisions

- April 28th: less likely NARWs will be present in the Gulf before that date
 - Different measures for pre/post April 28th?
 - As per Canadian Science Advisory Secretariat report recommendation on NARW presence.
- Closures
 - Size of the dynamic area to be closed to fishing activity.
 - Time allotted to harvesters to retrieve fishing gear (24 hours vs. 72 hours).

Considerations

- Transport Canada and DFO are working bi-laterally with NOAA on their mitigation measures and have taken lessons learned to develop a made in Canada approach.
- Management measures for 2018 will be fluid and may change as the season progresses.
 - NARW distribution will determine mitigation measures taken
- Toolbox of mitigation measures will be employed by Regions depending on the circumstances.
- Monitoring capacity issues and complexity (fisheries vs. transportation)
 - Vast geographic areas with limited aerial surveillance capacity.
 - Various fisheries with differing gear creates complex approach compared to shipping industry.

Slide 18

BJ6

The toolbox is currently focused on existing LC and Variation Orders as mitigation measures. Consideration of the role of industry to report sightings will be key to real-time avoidance measures being used by harvesters.

Berthier, Jacinta, 01/03/2018



Next Steps

- Work ongoing to operationalize the implementation of response to NARW sightings, ensuring coordinated approach with implicated sectors such as C&P, CCG and Science.
- A protocol is in development regarding the lifting of the pause on disentanglement of NARWs ^{BJ7}
- Engagement planned with third-party providers in March to enhance disentanglement capacity
- A communications strategy will be developed to inform public on Canada's approach to mitigate further NARW deaths.

Slide 19

BJ7

Excellent! the low risk posture will work best if we are able to respond if there are entanglements reported.

Berthier, Jacinta, 01/03/2018

Questions / Discussion

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: March-13-18 10:57 AM
To: Buie, Jennifer; Burns, Adam; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; King, Rhea L; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Valkenier, Mary-Ellen; Vézina, Alain; Vincent, Patrick; Wentzell, Doug; Winfield, Nicholas; Stewart, Julie; Smith, Kathleen; Jackson, Ashley; Jenkins, Randy; Veilleux, Christopher
Cc: Daley, Annette; Rossignol, Pauline; Butler, Annette; Neary, Lynn; Hébert, Linda M; Bellfof, Elyse; Couturier-Dubé, Geneviève; Bois, Lucie; Richard, Tina; Snow, Anne E
Subject: RE: Materials for ASC for NARW Mar 14 / Matériels pour le CDA pour BNAN le 14 mars
Attachments: (FR) L'Ordre du jour révisé - CDA pour BNAN le 14 mars 2018.docx; (EN) Revised Agenda - ASC for NARW Mar 14 2018.docx; Agenda item 5 - DFO Operational Governance for NARW March 13_EOS Proposal.docx; Agenda item 6 - DRAFT Comms Plan NARW.pptx; Agenda Item 6 - DRAFT Comms CrisisProtocol NARW.docx; (EN) Record of Discussion - ASC for NARW Feb 28 2018.docx; (FR) Compte Rendu CDA pour BNAN 28 février 2018.docx; Science - reference material.docx

Good morning,

Attached is a revised agenda and the materials for the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on March 14, 2018. Please note the new document for agenda item 5.

The documents are being emailed as most members have not yet joined the GCconnex group. Please let me know if you are having difficulty and I will re-send the invitation to you. Thank you.

L'ordre du jour révisé et les matériels sont ci-joints pour la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 14 mars 2018. Veuillez noter qu'il y a un nouveau document pour point 5 de l'ordre du jour.

Je les envoie par courriel parce que la pluparts des membres n'ont pas encore se joindre au groupe sur GCconnex. Faites-le moi savoir si vous avez de la difficulté et je vais vous envoyer l'invitation un autre fois. Merci.

Bonne journée.

Sheila

From: Prall-Dillman, Sheila
Sent: March-12-18 12:38 PM
To: Buie, Jennifer; Burns, Adam; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; King, Rhea L; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Valkenier, Mary-Ellen; Vézina, Alain; Vincent, Patrick; Wentzell, Doug; Winfield, Nicholas; Stewart, Julie; Smith, Kathleen; Jackson, Ashley; Jenkins, Randy; Veilleux, Christopher
Cc: Daley, Annette; Rossignol, Pauline; Butler, Annette; Neary, Lynn; Hébert, Linda M; Bellfof, Elyse; Couturier-Dubé, Geneviève; Bois, Lucie; Richard, Tina; Snow, Anne E
Subject: RE: Materials for ASC for NARW Mar 14 / Matériels pour le CDA pour BNAN le 14 mars

Please note that materials for the update on the Communications Strategy for NARW (agenda item 6) are now posted on GCconnex: <https://gcconnex.gc.ca/login>. Thank you. /

Veillez noter que les matériels pour la mise à jour sur la stratégie de communication pour BNAN (article 6 sur l'ordre du jour) sont affichés maintenant à GCconnex : <https://gcconnex.gc.ca/login>. Merci.

From: Prall-Dillman, Sheila

Sent: March-12-18 11:25 AM

To: Buie, Jennifer; Burns, Adam; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; King, Rhea L; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Valkenier, Mary-Ellen; Vézina, Alain; Vincent, Patrick; Wentzell, Doug; Winfield, Nicholas; Stewart, Julie; Smith, Kathleen; Jackson, Ashley; Jenkins, Randy; Veilleux, Christopher

Cc: Daley, Annette; Rossignol, Pauline; Butler, Annette; Neary, Lynn; Hébert, Linda M; Bellfooy, Elyse; Couturier-Dubé, Geneviève; Bois, Lucie; Richard, Tina; Snow, Anne E

Subject: Materials for ASC for NARW Mar 14 / Matériels pour le CDA pour BNAN le 14 mars

Good morning,

The materials for the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on March 14, 2018, are now posted to [GCconnex](#). Science reports have also been posted as reference material for the committee's information. In particular, please see the sightings maps with the explanations and caveats provided by Jean Landry. Please let me know if you have any difficulty accessing the materials in GCconnex. Thank you.

Les matériels pour la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 14 mars 2018, sont maintenant disponible à [GCconnex](#). Des rapports de science ont aussi été affichés comme le matériel de référence pour les informations du comité. Notamment, veuillez voir les carte des observations avec les explications et les avertissements fournis par Jean Landry. Dites-le-moi s'il vous plaît si vous avez de la difficulté à accéder aux matériels dans GCconnex.

Merci et bonne journée.

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics

Fisheries and Oceans Canada | Government of Canada

Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques

Pêches et Océans Canada | Gouvernement du Canada

Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.



Ordre du jour révisé

Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord

Le 14 mars 2018, 11 h à 12 h 30 (heure de l'Atlantique)

Numéro de la téléconférence : 1-877-413-4781 Code : [REDACTED]

Salle de conférence Ron Trites, 4^e étage de l'immeuble Polaris, IOB

	HEURE	SUJET	PRÉSENTATEUR
1	11 h à 11 h 5	Mot de bienvenue et présentations Examen du compte rendu des discussions de la réunion du 28 février 2018	Mary-Ellen Valkenier, directrice générale régionale, Région des Maritimes
2	11 h 5 à 11 h 20	Mise à jour sur la séance d'information conjointe des ministres de Pêches et Océans Canada et de Transports Canada au sujet des approches de gestion recommandées à l'égard des interactions avec la pêche et avec le transport maritime	Adam Burns, directeur général, Gestion des ressources halieutiques, ACN Ellen Burack, directrice générale, Politique environnementale, Transports Canada
3	11 h 20 à 11 h 30	Mise à jour du groupe de travail chargé d'élaborer des options visant à atténuer les risques d'interactions avec le transport maritime dans les zones en dehors de la zone de ralentissement dans le golfe du Saint-Laurent	Patrick Vincent, directeur général régional, Région du Québec Nicole Bouchard, directrice régionale, Gestion des écosystèmes, Région du Québec
4	11 h 30 à 11 h 50	Mise à jour sur le plan de surveillance coordonné pour 2018 (Sciences, Conservation et Protection, Gestion des ressources et Garde côtière)	Jean Landry, directeur, Science des populations de poissons, ACN Darren Goetze, directeur général, Conservation et Protection, ACN Randy Jenkins, directeur principal par intérim, Gestion intégrée des ressources, ACN Julien Gaudet, surintendant, Services de communication et de trafic maritimes
5	11 h 50 à 12 h 10	Mise à jour et discussion sur l'établissement de processus décisionnels en cours de saison, y compris : <ul style="list-style-type: none">la création d'un petit groupe (relevant du comité national sur les baleines) pour la baleine noire de l'Atlantique Nord, pour appuyer la prise de décisions dans les secteurs, les régions et les ministères pendant la saisonun protocole décisionnel sur la gestion des pêches, pour la prise de décisions concernant l'interaction avec les pêchesdes protocoles de zone pour les mammifères marinsune formation/un plan sur le Système de commandement d'intervention	Jean Landry, directeur, Science des populations de poissons, ACN Adam Burns, directeur général, Gestion des ressources Serge Doucet, directeur général régional, Région du Golfe Darren Goetze, directeur général, Conservation et Protection



6	12 h 10 à 12 h 25	Mise à jour sur la Stratégie de communication pour les baleines	Ashley Jackson, conseillère principale en communications, ACN
7	12 h 25 à 12 h 30	Autres points : <ul style="list-style-type: none">Répondre aux questions des pêcheurs sur la mesure dans laquelle ils feront l'objet de poursuites pour avoir tué/blessé des baleines, s'ils signalent des empêtements dans leurs engins	Julie Stewart, directrice, Intégration des espèces en péril, ACN

Ordre du jour des prochaines réunions :

- Mise à jour sur le budget (détails supplémentaires) et sur toutes les demandes de financement supplémentaire à l'appui des plans opérationnels pour la baleine noire de l'Atlantique Nord
- Mise à jour sur l'examen des demandes d'avis du Secrétariat canadien de consultation scientifique
- Mise à jour sur la publication du rapport « Ce que nous avons entendu », rédigé à la suite des séances de mobilisation du public « Parlons des baleines » (s'il est publié)
- Aux fins de discussion : liens du gouvernement fédéral avec des groupes externes et internationaux qui travaillent dans le dossier des baleines noires de l'Atlantique Nord, en particulier pour confirmer le leadership, la composition et le mandat du Réseau de rétablissement de la baleine noire de l'Atlantique Nord et la participation du gouvernement fédéral au consortium de recherche sur la baleine noire de l'Atlantique Nord



Revised Agenda

Atlantic Steering Committee for the North Atlantic Right Whale (NARW)

March 14, 2018, 11:00 am – 12:30 pm AST

Teleconference: 1-877-413-4781 Code: [REDACTED]

Ron Trites Boardroom, 4th floor, Polaris Building, BIO

	TIME	TOPIC	PRESENTER
1	11:00 – 11:05	Welcome and introductions Review of Record of Discussion from the meeting on February 28, 2018	Mary-Ellen Valkenier, Regional Director General, Maritimes Region
2	11:05 – 11:20	Update on the joint briefing to the Ministers of DFO and Transport Canada on recommended management approaches for fishing and shipping interactions	Adam Burns, Director General, Fisheries Resource Management, NHQ Ellen Burack, Director General, Environmental Policy, Transport Canada
3	11:20 – 11:30	Update from the working group developing options to mitigate risks of potential shipping interactions in areas outside the slow-down box in the Gulf of St. Lawrence	Patrick Vincent, Regional Director General, Quebec Region Nicole Bouchard, Regional Director, Ecosystems Management, Quebec Region
4	11:30 – 11:50	Update on the coordinated surveillance plan 2018 (Science, Conservation & Protection, Resource Management and the Coast Guard)	Jean Landry, Director, Fish Population Science, NHQ Darren Goetze, Director General, Conservation & Protection, NHQ Randy Jenkins, A/Senior Director, Integrated Resource Management, NHQ Julien Gaudet, Superintendent Marine Communications and Traffic Services
5	11:50 – 12:10	Update and discussion on the establishment of in-season decision-making processes, including: <ul style="list-style-type: none"> Establishment of a small group (under the national whales committee) specific to the NARW to support decision-making across sectors, regions and departments during the season Fisheries Management decision protocol for decisions specific to fishery interaction Zonal protocols for Marine Mammal Response Incident Command System Training/Plan 	Jean Landry, Director, Fish Population Science, NHQ Adam Burns, DG, Fisheries Management Serge Doucet, Regional Director General, Gulf Region Darren Goetze, Director General, Conservation & Protection
6	12:10 – 12:25	Update on the Communications Strategy for Whales	Ashley Jackson, Senior Communications Advisor, NHQ
7	12:25 – 12:30	Other business: <ul style="list-style-type: none"> Responding to questions from harvesters about whether or not they will be subject to prosecution for harming/killing whales if they report entanglements in their gear 	Julie Stewart, Director, Integrated Species at Risk, NHQ



Forward Agenda:

- Update on the budget (further details) and on any requests for additional funding to support operational plans for NARW
- Update on the Canadian Science Advisory Secretariat's review of requests for advice
- Update on the release of the "What We Heard" report from the Let's Talk Whales public engagement sessions (if released)
- For discussion: federal connections to external and international groups working on NARW, in particular, to confirm the leadership, membership and mandate of the NARW Recovery Network and federal involvement in the NARW Consortium

Pages 428 to / à 433
are not relevant
sont non pertinentes



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on February 28, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Regional Director, Fisheries Management (Chair)
Jacinthe Cormier	A/Regional Director, Science
Rhea King	Regional Director, Ecosystems Management
Derek Fenton	Oceans Biologist, Ecosystems Management
Donald Humphrey	Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Frank Quinn	Regional Director, Fisheries Management
DFO Quebec Region	
Patrick Vincent	Regional Director General
DFO Newfoundland and Labrador Region	
Robert Lambert	A/Regional Director, Fisheries Management
Canadian Coast Guard, Atlantic Region	
Julien Gaudet	Superintendent, Marine Communications and Traffic Services
DFO National Headquarters	
Christopher Veilleux	Senior Director, Financial Management Advisory Services
Adam Burns	Director General, Fisheries Resource Management
Randy Jenkins	A/Senior Director, Integrated Resource Management
Judy Dwyer	Director, Enforcement Operations, Conservation & Protection
Corina Busby	Manager, Biologist, Integrated Species at Risk
Jean Landry	Director, Fish Population Science
Simon Nadeau	Senior Advisor, Fish Population Science
Transport Canada	
Helen Burack	Director General, Environmental Policy



	TOPIC	LEAD
1.	Welcome and Introductions Review of Record of Discussion	Annette Daley
<p>The Record of Discussion from the meeting on February 14, 2018, was circulated earlier by email. Any suggested edits can be sent to Sheila Prall Dillman by March 2, 2018. It will then be considered final.</p> <p>A GCconnex group has been created for this committee and meeting materials will now be distributed on its webpage. Members are asked to contact Sheila Prall Dillman if they have not received the invitation to join the group, if they have any difficulty joining, and if they would like others to be added to the group to access materials, e.g., administrative assistants or staff working on NARW.</p>		
2.	Update on Fisheries Management Measures Fisheries Interactions	Adam Burns Randy Jenkins
<p>Adam Burns provided a debrief from a recent meeting with the A/Deputy Minister for DFO (the Deputy Commissioner was acting) and the Deputy Minister for Transport Canada about mitigation measures for vessel interactions and fisheries interactions in 2018. There was agreement that the departments would develop a joint briefing for the Ministers of both departments. There will be a national call led by Sylvie LaPointe on March 1, 2018, to prepare for the Ministerial briefing, which is tentatively set for March 6, 2018. There is expected to be symmetry in the robustness of the mitigation measures proposed for fishing and shipping interactions.</p> <p>For fisheries, the department will propose robust measures to have a low risk of entanglements. This may include closing fisheries before quotas are landed. There may be negative reactions from the fishing industry. The measures will be consistent across fisheries although the level of measures may vary between different gear types and areas where whales are more likely to forage.</p> <p>In the discussion, a number of considerations were noted, for example, the department's capacity for surveillance and the industry's ability to remove gear from the water quickly. It may also be a challenge to introduce new licence conditions for fisheries that are already underway. When introducing new measures, it was suggested that measures that prevent entanglements (e.g., reducing floating rope) be prioritized over measures that gather information about entanglements (e.g., marking rope). It was noted that the lowest risk approach involves gear removal, especially where whales are foraging. DFO has gathered information about management measures across the regions but clarity around certain measures is required to promote consistency in the approaches. The Minister has already announced certain measures for the Gulf snow crab fishery and they may not be the same in other fisheries with different risks, e.g., different gear.</p> <p>The department was meeting with the Gulf Crab Advisory Committee today to discuss possible measures. The department will wait for the Minister's approval before communicating specific plans to the industry.</p>		
3.	Budget 2018	Christopher Veilleux
<p>Adam Burns reminded the committee that any requests for funding related to whales should be submitted through Sylvie LaPointe, as the departmental lead for whales.</p> <p>Chris Veilleux provided an initial overview of the funding announced for whales in Budget 2018. For DFO, funding of \$35M was announced for whales, which is \$7M annually for five years. (This would likely focus on the NARW, Southern Resident Killer Whale and Beluga Whale.) Of that amount, it appears that \$25 M is targeted to Ecosystems and Oceans Science. The funds will go into the main estimates, meaning the department will need to make a submission but will not need to wait for post-budget announcements, which will expedite the process to receive the funds.</p> <p>The concept of whales as an initiative was endorsed. There was also conditional approval of \$50M over 5 years for initiatives. This means the department will need to do some work to go through with the initiatives. That work</p>		



is not funded and will need to be sourced internally.

The new funding will likely be insufficient to implement the proposed management plans for NARW. The committee discussed the process for accessing the Results Fund for 2018-19 (the 2% departmental reserve). Decisions are not expected on proposals submitted for this fund until fiscal period 3, but there are mechanisms to expedite requests if required.

Management plans for the NARW will need to be in place before April, when the whales are expected to return to the Gulf of St. Lawrence, and the plans are dependent on surveillance for whales. Therefore, Science decided to risk-manage the procurement process for surveillance flights and the hiring of a number of marine mammal observers to board the flights. The results of the procurement process are expected by the end of March and the marine mammal experts will develop the surveillance plan next week. Therefore, decisions are required very soon on the level of funding for surveillance for this year. Fisheries Management will also require funds for staff to board the flights, for marine mammal response efforts, for enforcement and other responsibilities.

Transport Canada received \$85M for whales in the budget, although much of this was for the west coast. The department's plans for NARW in 2018 were not dependent on new funding. The department is working to increase its capacity for monitoring this year but the financial requirement is not yet known.

For Action:

- Chris Veilleux's team will work with Sylvie LaPointe right away to quantify the additional funding that DFO requires, given the time sensitivity. He will receive further details about the budget at upcoming meetings with the Department of Finance and Treasury Board Secretariat and will share any new information with this committee at the next meeting and/or by email.

4.	Vessel Interactions	Ellen Burack Patrick Vincent
<p>Ellen Burack provided a further update on the recent meeting with the Deputy Ministers of DFO and Transport Canada. As Adam Burns had reported, there was agreement to provide more information on fisheries management measures so the approaches to shipping and fishing could be assessed for consistency and level of economic hardship (recognizing that solid numbers on economic hardship are not available for either industry). A key point in the discussion of consistency was the trigger for escalating management measures being one whale versus more than one whale.</p> <p>The Deputy Ministers had asked a number of questions. For example, if the departments had considered extending the mandatory slowdown to smaller vessels (under 20 metres). Transport Canada will present pros/cons and considerations around this, for example, the suggestion that some deaths could have been caused by smaller vessels but enforcement would be different as smaller vessels do not use the Automatic Identification System as consistently as larger vessels. The Deputy Ministers asked about the plans for areas outside the proposed slowdown box, and the departments are mindful that slowdowns may be required in other areas. The Deputies also asked for a Communications strategy to identify who should be engaged and when. The departments may also have bi-weekly reporting to the Ministers on where whales are sighted and on compliance with management measures for fishing and shipping.</p> <p>Patrick Vincent provided an update on behalf of the working group that had been formed to consider management approaches for shipping in areas outside the western Gulf of St. Lawrence. Nicole Bouchard, Regional Director, Ecosystems Management, Quebec Region, is leading the group. The group had two meetings and considered measures that could be put in place. They would propose that the same measures for western Gulf of St. Lawrence would be applied elsewhere as they did not see a justification to exclude other areas. However, the group wants to develop a better understanding of the Government of Canada's authority in certain marine areas, for example, between the 11 mile limit and 200 mile limit (between provincial and international jurisdictions). Another consideration is the level of monitoring for other areas. For now, the group is awaiting the outcome of the Ministerial briefing with respect to approaches for the western Gulf of St. Lawrence.</p>		

**For Action:**

- The Ministers of DFO and Transport Canada will be briefed next week (tentatively set for March 6th) on the recommended management approaches for fishing and shipping interactions, including the associated issues, risks, implications, roll-out strategies and reporting approaches.

5. Research, Risk Assessment and Monitoring

Jean Landry

In addition to the update provided as part of the discussion of the budget (above), Jean Landry reported that the list of requests for science advice submitted to the Canadian Science Advisory Secretariat (CSAS) and the associated work plan will be presented to the Regional Directors of Science at a meeting in Ottawa this week. Any requests related to NARW would also require approval by Sylvie LaPointe. [REDACTED] the requests exceed the resources available. Science will also need to prepare for unexpected requests, such as the NARW events last summer. If they are asked to do more for whales with fewer resources, it will impact other aspects of the Science program.

For Action:

- Jean Landry will provide a further update on the CSAS work plan at the next meeting.
- It was confirmed that Science has been involved in discussions about the advice that DFO and Transport Canada will provide to the Ministers, and that Science would like to review the briefing material to ensure the Science advice reflected in the memo/presentation is in line with the current knowledge.

6. Marine Mammal Response

Judy Dwyer

No one was present from the Marine Mammal Response group to provide an update.

Judy Dwyer asked if there is a plan to implement an Incident Command System (ICS) this year to improve communication. If not, she noted that the Canadian Coast Guard offers ICS training and that Conservation and Protection (C&P) may be able to contribute to setting up a system. A number of fishery officers have some training in ICS.

Annette Daley (as the chair) said the offer to support an ICS infrastructure would be helpful and noted that a few committee members are registered for upcoming ICS training. She encouraged Judy Dwyer to speak with Darren Goetze and Sylvie LaPointe about what an ICS plan would look like.

Julien Gaudet emphasized the importance of a long-term approach to ICS training and relying on people who are experienced with ICS. He recommended training to the ICS 300 level at a minimum and ensuring that staff gain experience, e.g., participating in exercises as observers. He noted that ICS can be used in many situations and is scalable but is most useful with complex incidents (normal business processes would likely be sufficient for isolated or routine incidents).

For Action:

- As a starting point, Judy Dwyer will follow-up with Darren Goetze and Sylvie LaPointe over the next few days to discuss the development of a plan for ICS training.

7. Other Business – Processes to Support Decision Making During the Season

At previous meetings, this committee had discussed the need to clarify how decisions will be made during the season. For example, to clarify who will review the science data in light of the approved triggers and procedures and make recommendations to senior management for fisheries and shipping.

At today's meeting, it was noted that there is a need to review lessons learned from last year when the departments were in crisis mode to consider how the regions, sectors and departments interact with each other. Fisheries Management has been drafting Standard Operating Procedures that are intended to identify processes to support operational decision-making for fisheries. However, the committee does not yet have a clear sense of the



overarching governance with fisheries and other sectors/departments. It was suggested that a smaller, streamlined group be formed that would make recommendations to senior management during the season.

It was suggested that the departments could use a small group similar to the one used for the seal hunt. It included different regions and departments, it met regularly and was effective in providing recommendations for decisions.

For Action:

- As the lead for whales, Sylvie LaPointe would need to approve the establishment of any groups or other processes to support decision-making during the season. Annette Daley had raised this with the Sylvie LaPointe previously and will raise it again as the group (or other processes) will need to be set up soon.

8. Next Meeting

The next bi-weekly meeting of the ASC will be on March 14, 2018. Any suggestions for agenda items can be provided to Sheila Prall Dillman (the secretariat).

Since the Atlantic Steering Committee is still in the process of developing management plans for the spring, the bi-weekly meetings will be extended to the end of May 2018. The meeting frequency can be revisited once the plans (or other committees) are in place.

A representative from Communications will be invited to join the meetings as an observer.



Pêches et Océans Canada (MPO)
Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord
Réunion du 28 février 2018
Compte rendu des discussions

Présents	
Nom	Titre
Région des Maritimes du MPO	
Annette Daley	Directrice régionale par intérim, Gestion des pêches (présidente)
Jacinthe Cormier	Directrice régionale par intérim, Sciences
Rhea King	Directrice régionale, Gestion des écosystèmes
Derek Fenton	Biologiste des océans, Gestion des écosystèmes
Donald Humphrey	Gestionnaire, Division de la gestion des espèces en péril
Sheila Prall Dillman	Conseillère principale en politiques (secrétariat)
Région du Golfe du MPO	
Frank Quinn	Directeur régional, Gestion des pêches
Région du Québec du MPO	
Patrick Vincent	Directeur général régional
Région de Terre-Neuve-et-Labrador du MPO	
Robert Lambert	Directeur régional par intérim, Gestion des pêches
Garde côtière canadienne, Région de l'Atlantique	
Julien Gaudet	Surintendant, Services de communication et de trafic maritimes
Administration centrale nationale du MPO	
Christopher Veilleux	Directeur principal, Services consultatifs en gestion financière
Adam Burns	Directeur général, Gestion des ressources halieutiques
Randy Jenkins	Directeur principal par intérim, Gestion intégrée des pêches
Judy Dwyer	Directrice, Activités d'application de la loi, Conservation et Protection
Corina Busby	Gestionnaire, biologiste, Division intégrée des espèces en péril
Jean Landry	Directeur, Science des populations de poissons
Simon Nadeau	Conseiller principal, Science des populations de poissons
Transports Canada	
Helen Burack	Directrice générale, Politique environnementale



	SUJET	RESPONSABLE(S)
1.	Mot de bienvenue et présentations Examen du compte rendu des discussions	Annette Daley
<p>Le compte rendu des discussions de la réunion du 14 février 2018 a déjà été distribué par courriel. Toute suggestion de révision peut être transmise à Sheila Prall Dillman d'ici le 2 mars 2018. Après cette date, il sera considéré comme final.</p> <p>Un groupe GConnex a été créé pour ce Comité et les documents de réunion seront désormais distribués sur sa page Web. Il est demandé aux membres de communiquer avec Sheila Prall Dillman s'ils n'ont pas reçu l'invitation à se joindre au groupe, s'ils ont du mal à s'y joindre ou s'ils aimeraient que d'autres personnes fassent partie du groupe pour accéder aux documents, par exemple les adjoints administratifs ou les employés qui travaillent au dossier des baleines noires de l'Atlantique Nord.</p>		
2.	Mise à jour sur les mesures de gestion des pêches Interactions avec les pêches	Adam Burns Randy Jenkins
<p>Adam Burns fait un compte rendu d'une récente réunion tenue avec le sous-ministre par intérim du MPO (sous-commissaire à ce titre) et le sous-ministre de Transports Canada (TC) sur les mesures d'atténuation pour les interactions avec les navires et les interactions avec les pêches en 2018. Il est convenu de préparer conjointement une séance d'information à l'intention des ministres des deux ministères. Le 1^{er} mars 2018, Sylvie LaPointe dirigera un appel national en vue de la préparation de la séance d'information des ministres, provisoirement prévu le 6 mars 2018. On s'attend à une certaine symétrie dans la rigueur des mesures d'atténuation proposées pour les interactions avec les pêches et celles avec le transport maritime.</p> <p>Pour les pêches, le Ministère proposera des mesures robustes pour assurer un faible risque d'empêchement. Elles pourraient consister à fermer des pêches avant que les quotas soient débarqués. L'industrie de la pêche pourrait avoir des réactions négatives. Les mesures seront uniformes dans toutes les pêches, bien que le niveau des mesures puisse varier entre les différents types d'engins et les zones où les baleines sont les plus susceptibles de se nourrir.</p> <p>Au cours de la discussion, un certain nombre de facteurs à considérer sont soulevés, par exemple la capacité de surveillance du Ministère et la capacité de l'industrie à retirer les engins de l'eau dans les plus brefs délais. Il pourrait également être difficile d'instaurer de nouvelles conditions de permis pour les pêches qui sont déjà en cours. Concernant les nouvelles mesures, il est proposé que les mesures devant prévenir les empêchements (p. ex. la réduction des cordes flottantes) soient considérées comme prioritaires par rapport aux mesures consistant à recueillir de l'information sur les empêchements (p. ex. le marquage des cordes). Il est mentionné que l'approche la moins risquée consiste à enlever les engins, en particulier lorsque les baleines sont en quête de nourriture. Le MPO a recueilli de l'information sur les mesures de gestion dans toutes les régions, mais il y a lieu de préciser certaines mesures pour promouvoir la cohérence des approches. Le ministre a déjà annoncé certaines mesures concernant la pêche du crabe des neiges dans le golfe, et elles pourraient différer des mesures concernant d'autres pêches présentant des risques différents, p. ex. se pratiquant avec des engins différents.</p> <p>Des membres du Ministère doivent se réunir aujourd'hui avec le Comité consultatif du crabe des neiges du golfe, pour discuter des mesures possibles. Ils ne communiqueront aucun plan précis à l'industrie avant d'avoir l'approbation du ministre.</p>		
3.	Budget de 2018	Christopher Veilleux
<p>Adam Burns rappelle au Comité que toute demande de financement pour les baleines doit être soumise par l'intermédiaire de Sylvie LaPointe, qui est responsable du dossier des baleines au Ministère.</p> <p>Chris Veilleux présente un premier aperçu du financement annoncé pour les baleines dans le budget de 2018. Pour le MPO, un financement de 35 millions de dollars a été annoncé pour les baleines, ce qui représente 7 millions de</p>		



dollars par an pendant cinq ans. (Il est probable que ce financement vise essentiellement la baleine noire de l'Atlantique Nord, l'épaulard résident du sud et le béluga.) Il semble que 25 millions de dollars de ce montant soient destinés à Sciences des écosystèmes et des océans. Les fonds iront dans le budget principal des dépenses, ce qui veut dire que le Ministère devra présenter une soumission mais qu'il n'aura pas besoin d'attendre les annonces postérieures au budget, et donc le processus d'affectation des fonds sera accéléré.

Le concept des baleines vu comme une initiative est appuyé. Le montant de 50 millions de dollars pour la conduite d'initiatives sur une période de cinq ans fait l'objet d'une approbation conditionnelle. Autrement dit, le Ministère devra mener quelques travaux pour poursuivre ces initiatives. Ces travaux ne sont pas financés et donc les fonds devront provenir de sources internes.

Le nouveau financement sera probablement insuffisant pour mettre en œuvre les plans de gestion proposés pour la baleine noire de l'Atlantique Nord. Le Comité discute du processus pour accéder au fonds de réserve pour les résultats pour 2018-2019 (réserve ministérielle de 2 %). On ne s'attend pas à ce que des décisions soient prises sur les propositions de financement soumises avant la période 3 de l'exercice, mais il existe des mécanismes pour accélérer les demandes au besoin.

Les plans de gestion pour la baleine noire de l'Atlantique Nord devront être en place avant avril, au moment où les baleines sont censées retourner dans le golfe du Saint-Laurent, et les plans dépendent de la surveillance à l'égard des baleines. Par conséquent, le Secteur des sciences a décidé de gérer selon le risque le processus d'acquisition de vols de surveillance et l'embauche d'un certain nombre d'observateurs de mammifères marins pour assurer la surveillance aérienne. Les résultats du processus d'approvisionnement sont attendus d'ici la fin mars, et les experts en mammifères marins dresseront le plan de surveillance la semaine prochaine. Par conséquent, des décisions devront être prises bientôt sur le niveau de financement de la surveillance pour cette année. Gestion des pêches aura également besoin de fonds pour embarquer du personnel à bord des vols, pour les interventions auprès des mammifères marins, l'application de la loi et d'autres responsabilités.

Le budget de 2018 a alloué 85 millions de dollars à Transports Canada pour des baleines, mais la majorité de ce montant est pour la côte ouest. Les plans du Ministère concernant la baleine noire de l'Atlantique Nord ne sont pas tributaires d'un nouveau financement. Le Ministère travaille à l'accroissement de sa capacité de surveillance pour cette année, mais on ne connaît pas encore les besoins financiers.

Mesures à prendre :

- L'équipe de Chris Veilleux doit travailler immédiatement avec Sylvie LaPointe pour déterminer le financement supplémentaire dont le MPO a besoin, vu l'importance du facteur temps. Il obtiendra d'autres détails sur le budget aux réunions prévues avec le ministère des Finances et le Secrétariat du Conseil du Trésor, et il communiquera tous les nouveaux renseignements au Comité à la prochaine réunion ou par courriel.

4.	Interactions avec les navires	Ellen Burack Patrick Vincent
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Ellen Burack présente une mise à jour plus détaillée sur la récente réunion avec les sous-ministres du MPO et de TC. Comme l'avait indiqué Adam Burns, il a été convenu de fournir davantage de renseignements sur les mesures de gestion des pêches afin que les approches en matière de transport maritime puissent être évaluées des points de vue de la cohérence et du degré de difficultés financières (sachant qu'on ne dispose pas de chiffres fiables sur les difficultés économiques pour l'une ou l'autre industrie). L'élément déclencheur de mesures de gestion renforcées, à savoir le signalement d'une baleine ou de plus d'une baleine, a été un point clé de la discussion sur la cohérence.

Les sous-ministres avaient posé un certain nombre de questions. Par exemple, la question de savoir si les ministères avaient envisagé de soumettre également les navires plus petits (moins de 20 mètres) à la mesure de ralentissement obligatoire. Transports Canada présentera le pour et le contre et les questions qui s'y greffent, par exemple la supposition que certaines morts puissent avoir été causées par des navires plus petits, mais les mesures d'application de la loi seraient différentes car les navires plus petits n'utilisent pas le système d'identification



automatique aussi systématiquement que les plus gros navires. Les sous-ministres ont aussi posé des questions sur les plans concernant les zones en dehors du secteur de ralentissement proposé, et les ministères savent bien que des ralentissements pourraient s'imposer dans d'autres zones. Ils ont également demandé une stratégie de communications pour identifier les personnes à engager et déterminer quand le faire. Des rapports bimensuels peuvent également être produits à l'intention des ministres, sur les endroits où des baleines sont vues et sur la conformité des mesures de gestion pour les pêches et le transport maritime.

Patrick Vincent présente une mise à jour au nom du groupe de travail qui avait été formé pour examiner des approches en matière de gestion pour le transport maritime dans des zones en dehors de l'ouest du golfe du Saint-Laurent. Nicole Bouchard, directrice régionale, Gestion des écosystèmes, Région du Québec, dirige le groupe. Le groupe a tenu deux réunions et s'est penché sur des mesures qui pourraient être mises en place. Il serait proposé que les mêmes mesures que celles pour l'ouest du golfe du Saint-Laurent s'appliquent ailleurs, ne voyant aucun motif justifiant l'exclusion d'autres zones. Toutefois, le groupe veut parvenir à mieux comprendre le pouvoir du gouvernement du Canada dans certaines zones marines, par exemple entre la limite de 11 milles et celle de 200 milles (entre les autorités provinciales et internationales). Un autre facteur à prendre en considération est le niveau de surveillance dans ces zones. Pour le moment, le groupe attend de connaître le résultat de la séance d'information ministérielle au sujet des approches pour l'ouest du golfe du Saint-Laurent.

Mesures à prendre :

- La semaine prochaine (le 6 mars, à confirmer) une séance d'information sera tenue à l'intention des ministres du MPO et de TC sur les approches de gestion recommandées pour les interactions avec les pêches et avec le transport maritime, y compris les questions connexes, les risques, les incidences, les stratégies de déploiement et les approches relatives à la production de rapports.

5.	Recherche, évaluation des risques et surveillance	Jean Landry
<p>Outre la mise à jour présentée dans le cadre de la discussion sur le budget (ci-dessus), Jean Landry signale que la liste des demandes d'avis scientifiques au Secrétariat canadien de consultation scientifique (SCCS) et le plan de travail qui s'y rattache seront présentés aux directeurs régionaux des sciences à une réunion prévue à Ottawa cette semaine. Toutes les demandes se rapportant à la baleine noire de l'Atlantique Nord devront être approuvées par Sylvie LaPointe. [REDACTED] les demandes dépassent les ressources disponibles. Le Secteur des sciences devra aussi se préparer à répondre à des demandes imprévues, comme les événements de l'été dernier à propos des baleines noires de l'Atlantique Nord. Si l'on demande de faire plus pour les baleines avec moins de ressources, il y aura des conséquences pour d'autres aspects du programme scientifique.</p> <p>Mesures à prendre :</p> <ul style="list-style-type: none"> • Jean Landry présentera une mise à jour plus détaillée sur le plan de travail du SCCS à la prochaine réunion. • Il est confirmé que le Secteur des sciences a participé aux discussions sur l'avis que le MPO et TC donneront aux ministres, et qu'il souhaiterait examiner les documents d'information pour s'assurer que l'avis scientifique mentionné dans la note/présentation concorde avec les connaissances actuelles. 		
6.	Intervention auprès des mammifères marins	Judy Dwyer
<p>Aucun membre du groupe des interventions auprès des mammifères marins n'est présent pour présenter une mise à jour.</p> <p>Judy Dwyer demande s'il existe un plan concernant la mise en œuvre d'un système de commandement d'intervention (SCI) cette année afin d'améliorer la communication. S'il n'y en a pas, elle précise que la Garde côtière canadienne offre une formation sur le SCI et que Conservation et Protection (C et P) peut peut-être contribuer à la mise au point d'un système. Plusieurs agents des pêches ont reçu une certaine formation sur le SCI. Annette Daley (en tant que présidente) indique que cette aide pour une infrastructure de SCI serait utile et elle</p>		



ajoute que quelques membres du Comité sont inscrits à un cours de formation à venir sur le SCI. Elle encourage Judy Dwyer à parler à Darren Goetze et à Sylvie LaPointe sur ce à quoi ressemblerait un plan de SCI.

Julien Gaudet insiste sur l'importance d'une approche à long terme concernant la formation sur le SCI et sur le recours à des personnes qui se sont familiarisées avec le SCI. Il recommande une formation au moins au niveau SCI 300 et la possibilité pour le personnel d'acquérir de l'expérience, par exemple en participant à des exercices en tant qu'observateurs. Il précise que le SCI peut être utilisé dans de nombreuses situations et qu'il est adaptable, mais que c'est pour des incidents complexes qu'il est le plus utile (des processus opérationnels normaux seraient probablement suffisants pour des incidents isolés ou courants).

Mesures à prendre :

- Pour commencer, Judy Dwyer assurera un suivi avec Darren Goetze et Sylvie LaPointe au cours des prochains jours pour discuter de l'élaboration d'un plan de formation sur le SCI.

7. Autres points - Processus à l'appui de la prise de décision durant la saison

Au cours de réunions précédentes, le Comité a eu l'occasion de discuter du besoin de préciser comment les décisions seront prises pendant la saison. Par exemple, préciser qui examinera les données scientifiques compte tenu des éléments déclencheurs et des procédures approuvés, et formuler des recommandations à l'intention de la haute direction à propos des pêches et du transport maritime.

À la réunion d'aujourd'hui, il est indiqué qu'il y a lieu de passer en revue les leçons tirées de la crise que les ministères ont traversée l'an dernier, afin de se pencher sur la façon dont les régions, les secteurs et les ministères interagissent entre eux. La Gestion des pêches élabore des procédures opérationnelles normalisées dont l'objectif est de définir des processus à l'appui de la prise de décisions opérationnelles pour les pêches. Néanmoins, le Comité n'a pas encore une idée claire de la gouvernance générale avec les pêches et d'autres secteurs/ministères. Il est proposé de créer un groupe plus petit et simplifié qui formulerait des recommandations à l'intention de la haute direction pendant la saison.

On laisse entendre que les ministères peuvent recourir à un petit groupe semblable à celui qui existait pour la chasse au phoque. Il comprenait des représentants de différentes régions et de différents ministères, se réunissait régulièrement et était efficace pour formuler des recommandations de décisions.

Mesures à prendre :

- Étant responsable du dossier des baleines, Sylvie LaPointe devrait approuver la création d'un groupe quel qu'il soit ou de tout autre processus visant à appuyer la prise de décision durant la saison. Annette Daley a déjà porté la question à l'attention de Sylvie LaPointe et elle la soulèvera à nouveau lorsqu'un groupe devra être mis sur pied bientôt (ou d'autres processus).

8. Prochaine réunion

La prochaine réunion bimensuelle du Comité directeur de l'Atlantique aura lieu le 14 mars 2018. Toute suggestion de point à l'ordre du jour peut être transmise à Sheila Prall Dillman (secrétariat).

Étant donné que le Comité directeur de l'Atlantique est toujours en train d'établir des plans de gestion pour le printemps, les réunions bimensuelles seront prolongées jusqu'à la fin de mai 2018. La fréquence des réunions pourra être revue une fois les plans (ou d'autres comités) en place.

Un représentant des Communications sera invité à assister aux réunions à titre d'observateur.

Pages 444 to / à 457
are not relevant
sont non pertinentes

Merriman, Catherine B

From: Sweet, Marilyn
Sent: March-19-18 8:21 PM
To: Grace, Michael; Merriman, Catherine B; Hayden, Jazmine; Buott-Matheson, Debra; Moors-Murphy, Hilary; Emery, Pamela; Pye, Brad; Graves, Jeff
Cc: Waters, Christa; Parsons, Derreck J
Subject: RE: Maritime's response to NARW in 2018
Attachments: Response to NARW in Mar Region.docx

Hi everyone,

Please find attached the draft protocol for the Maritimes Region for responding to confirmed sightings of NARW. This is DRAFT, so please provide any comments you want. It is a lot of information and I struggled with how to convey it. I hope the tree, along with colours for the different sections helps a bit in defining steps. Please let me know if there are scenarios that I did not consider or if it can be worded differently.

I did not include non-confirmed reported sightings in this document. We can discuss if you think it should be included.

If possible, can I get comments **by noon Thursday**? I can see about setting up a meeting if it would be easier to go over in person/conference call?

If you can't make the deadline please let me know in advance so I can try to work around it. I apologize for the tight turn around. Everything with whales seems rushed these days!

Thanks everyone in advance. I appreciate all your help and comments.

Mar

From: Sweet, Marilyn
Sent: March-19-18 12:14 PM
To: Grace, Michael; Merriman, Catherine B; Hayden, Jazmine; Buott-Matheson, Debra; Moors-Murphy, Hilary; Emery, Pamela
Cc: Waters, Christa
Subject: Maritime's response to NARW in 2018

Hi there,

Just wanted to send you a heads-up. I've been asked to pull together an internal response plan to how we would deal with different scenarios of Right Whales coming into our waters. I need to have a draft prepared for Friday and am hoping to send you all the document later today for review and input. I know it's a tight timeframe, but I'll send for comments as soon as I can. Just wanted to give you all a heads-up.

Thanks,
Mar

Marilyn Sweet

Senior Advisor | Conseillère principale

Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada | Pêches et Océans Canada

1 Challenger Dr | 1 promenade Challenger

PO Box 1006 | C.P. 1006

Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NE Canada B2Y 4A2

(902)-221-7269

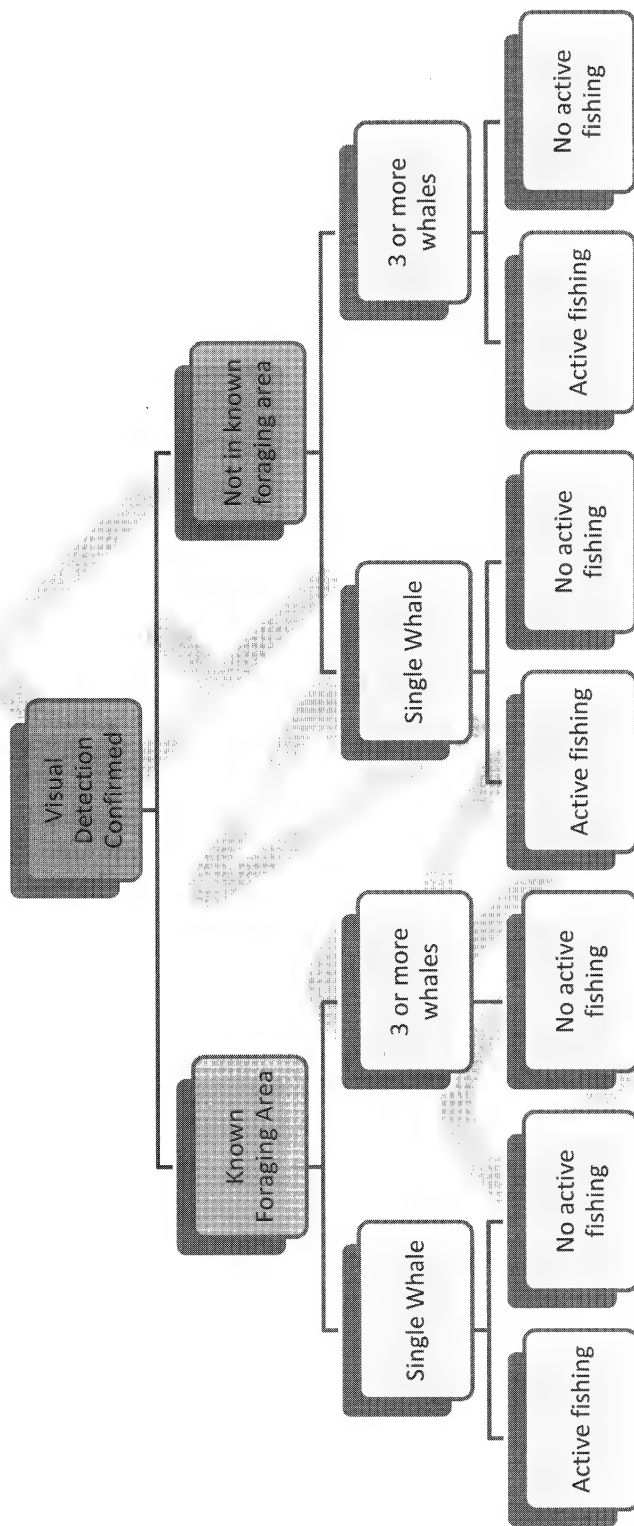
Marilyn.Sweet@dfo-mpo.gc.ca

No information has been removed or severed from this page

**Maritimes Region Draft Response Protocol:
Confirmed Visual Detection of North Atlantic
Right Whales**

March 2018

Decision Tree



North Atlantic Right Whale: Maritime Region Response

When DFO Maritimes is made aware of possible North Atlantic Right Whales (NARW) migrating through active fishing areas in our region, the above table is to be used to determine the appropriate response.

Section A: Confirmation of Reported Sighting

When a **visual detection** is reported to the Department, a qualified individual/individuals within DFO (or academia, CCG, NOAA, etc.) will be asked to confirm whether the detection is a NARW. Opportunistic sightings will require a verified video or picture.

Science Branch: will confirm or deny the sighting. If confirmed, relevant information is to be shared via email with the *Distribution List (Appendix A)*. The subject of the email should read: *Confirmed NARW sightings in Maritimes*.

Information is to include:

- a) Coordinates of verified sighting
- b) Time and date of sighting
- c) Number of whales confirmed
- d) Who confirmed the sighting information
- e) Any other relevant/important information (i.e. mother and calf sighting, injuries, etc.).

Note: Non-verified sightings (including opportunistic reporting) will not trigger a response but may lead to increased surveillance if feasible.

Section B: Determine if in known foraging areas

Step 1: Review of foraging area

Upon confirmation of a visual detection, the Marine Mammal Advisor/Response Coordinator in Resource Management (RM) will work with Conservation and Protection to plot coordinates and determine whether or not the confirmed sightings are in known foraging areas. The chart in *Appendix B* should be referenced for this step.

Step 2: Relay information from review

Marine Mammal Advisor will relay findings to *Distribution List*. Subject of the email should read:

- a) Confirmed NARW sightings in Maritimes: in known foraging areas; or
- b) Confirmed NARW sightings in Maritimes: outside known foraging areas.

Step 3: Proceed to relevant section

Section C1: Confirmed NARW in known foraging areas (green and below on chart)

Section C2: Confirmed NARW outside known foraging areas (blue and below on chart)

Section C1: Confirmed NARW in known foraging areas

Step 1: Determine the response scenario

The following are the possible scenarios for consideration:

- i. Single Whale-No Active Fishing
- ii. Single Whale- No Active Fishing

Once the scenario is confirmed (with information provided in Step 1), proceed to the appropriate response.

i. Single Whale – Known foraging area with NO active fishing (NO CLOSURE)

Resource Management:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Draft Notice to fishers is updated with details of pertinent information (DRAFT NotFish to be prepared). NotFish to inform fishers of the area to avoid and that additional management measures may be required if the distribution of NARW changes.
- e) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.

Meeting intent:

- a. Review foraging areas map, map of active fishing and overlay of confirmed sighting of whale.
- b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Gear tending requirements;
 - iii. Define the area on a grid map (10x10 min grid)
 - 1. Include a buffer zone around 10x10 grid
 - iv. Determine if upcoming fisheries may need opening delayed

Conservation and Protection:

- a) Distribute Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 36h period.
- b) Advise RM if area is of concern for possible fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard:

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a 36h period.

Communications

- a) Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

Science

- a) Provide input/advice to Resource Management
- b) Coordinate surveillance with C&P/TC and external partners

ii. Single Whale – Known foraging area WITH active fishing (DYNAMIC AREA CLOSURE)

When a NARW is confirmed sighted in a known foraging area (Appendix A), action will be taken to close fisheries that are occurring and delay the opening of other fisheries.

Resource Management:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 - a. Review foraging areas map, map of active fishing and overlay with confirmed sighting of whale.
 - b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Define the area on a grid map (10x10 min grid) (Appendix C)(OR 5X5? Wait to see what is recommended from Gulf to Minister)
 - 1. Include a buffer zone around 10x10 grid (Size to be determined)
 - iii. Determine if upcoming fisheries may need opening delayed
- e) Draft Variation Order with C&P.
- f) Notice to fishers is updated with details of pertinent information (DRAFT NotFish to be prepared). NotFish to inform fishers of the area to be **closed** because of the presence of NARW.
 - a. Fishers will be provided with 72 hours of notice to retrieve their gear once the NotFish has been distributed. (Consideration given if weather conditions are not favorable and NotFish to be worded to take this into account).

Conservation and Protection:

- a) Distribute Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 15 day period.
- b) Draft Variation Order with RM
- c) Advise RM if area is of concern for possible fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard:

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a 15 day period.

Communications

- a) Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

Science

- a) Provide input/advice to RM
- b) Coordinate surveillance with C&P/TC and external partners

Daily Updates

Following NotShip and Notfish being distributed a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with dynamic closure and concerns from C&P
- d) Further surveillance measures for the closed areas
- e) Further surveillance of areas surrounding the closed area

Closure end

The closure will remain in effect for 15 days (as is the recommended duration by NOAA). The dynamic closure can be extended following the 15 day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

iii) 3 or more whales – Known foraging area without active fishing (DYNAMIC AREA CLOSURE)

The confirmation of 3 or more whales in a known foraging area will trigger a dynamic closure regardless of if there are active fisheries occurring or not. Steps as outlined in the previous section (C1 (ii)) should be followed.

Section C2: Confirmed NARW outside known foraging areas

The following are the possible scenarios for consideration:

- i. Single Whale- Not in Active Fishing Areas
- ii. Single Whale- Active Fishing
- iii. Three or More Whales- Not in Active Fishing Areas
- iv. Three or More Whales- No Active Fishing

i. Single Whale- Not in Active Fishing Areas (NO CLOSURE)

When a NARW is confirmed in an area where there is no active fishing and it is NOT a foraging area, the following steps are to be taken:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.

Meeting intent:

- a. Review foraging areas map, map of active fishing and overlay with confirmed sighting of whale.

- b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to foraging areas, number of possible active licences, other considerations).
 - iii. Determine the required frequency of calls for the situation.
- ii. **Single Whale- In an Area with Active Fishing (NO CLOSURE)**

When a NARW is confirmed in an area where there is active fishing but NOT a foraging area, the following steps are to be taken:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 - a. Review foraging areas map, map of active fishing and overlay with confirmed sighting of whale.
 - b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to foraging areas, number of possible active licences, other considerations).
 - iii. Determine the required frequency of calls for the situation.
- jjj) Draft Variation Order with C&P (in the event that a closure is required as a next step. Not to be distributed at this step).
- kkk) Notice to fishers is updated with details of pertinent information (DRAFT NotFish to be prepared). NotFish to inform fishers that a NARW has been detected and the Department is monitoring the situation, carrying out surveillance and asks harvesters to report any sightings of NARW).

Conservation and Protection:

- a) Distribute Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a ??h/??day period.
- b) Draft Variation Order with RM
- c) Advise RM if area is of concern for possible fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard:

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.

Communications

- a) Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

Science

- a) Provide input/advice to RM
- b) Coordinate surveillance with C&P/TC and external partners

Daily Updates

Following NotShip and Notfish being distributed a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with dynamic closure and concerns from C&P
- d) Further surveillance measures for the closed areas
- e) Further surveillance of areas surrounding the closed area

iii. Three or More Whales- Not in Active Fishing Areas (DYNAMIC AREA CLOSURE)

This scenario will trigger the same response as C1 (ii): Single Whale – Known foraging area with active fishing (DYNAMIC AREA CLOSURE)

iv. Three or More Whales- In Active Fishing Area (DYNAMIC AREA CLOSURE)

This scenario will trigger the same response as C1 (ii): Single Whale – Known foraging area with active fishing (DYNAMIC AREA CLOSURE)

Additional Considerations

The following questions will need to be discussed with relation to the specifics of the situation:

- a. What fisheries are active in the area where whales are present?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in what area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types?
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? (72h adequate?)
 - ii. Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, will we consider the NOAA model of 15 day closures? After 15 days the closure could automatically expire if no other NARW are sighted?
- g. Will we remove the closure early if we have confirmation that whales have left the area? (through identification of specific animals then seen in other areas?)

Appendix A: Distribution List

Resource Management	Jacinta Berthier	(902 240-3967)	Jacinta.Berthier@dfo-mpo.gc.ca
	Marilyn Sweet	(902 221-7269)	Marilyn.Sweet@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902 499-1702)	Michael.Grace@dfo-mpo.gc.ca
	Alternate?		
Communications	Jazmine Hayden	(902 221-5613)	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902 426-6019)	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Hilary Moors-Murphy	(902 426-8810)	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902 225-6005)	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902 580-7425)	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902 401-8437)	Catherine.Merriman@dfo-mpo.gc.ca
Oceans	Scott Coffen-Smout	(902 426-2009)	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

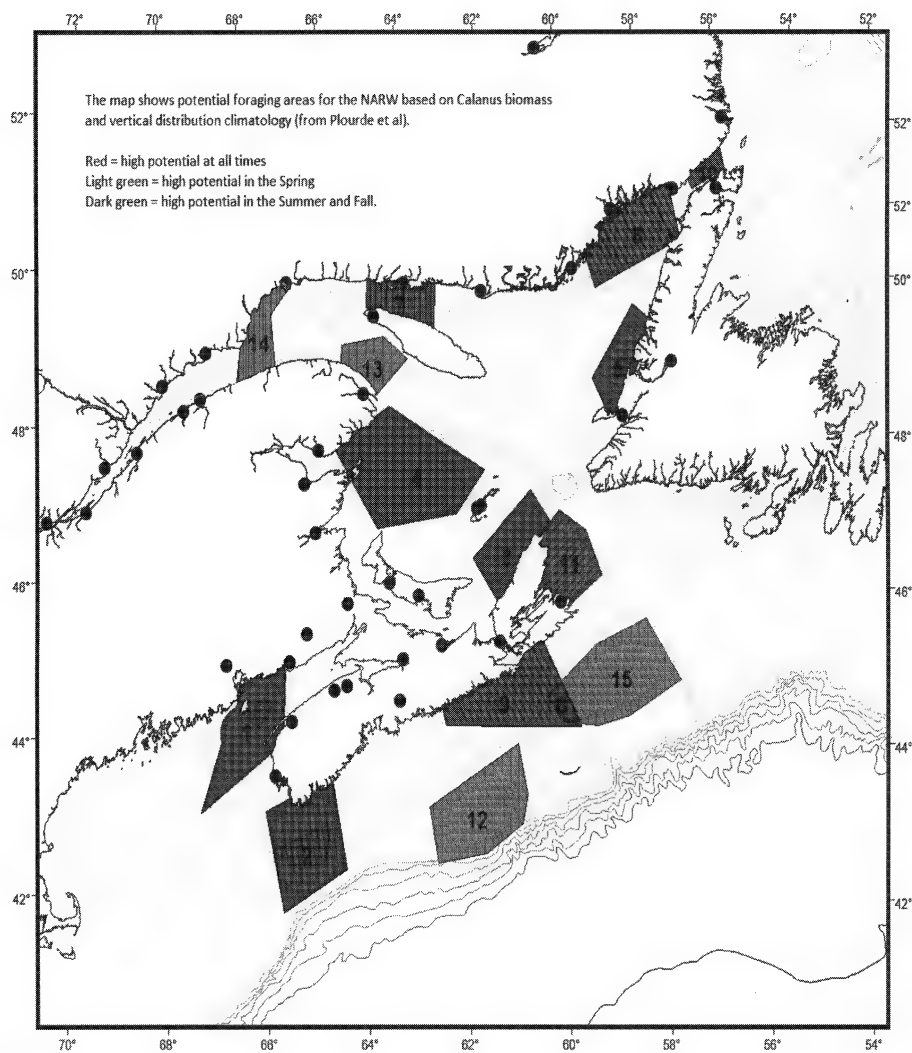
Important numbers (not distribution list)

CWRT: 1-506-752-1985/ 1-508-237-3852

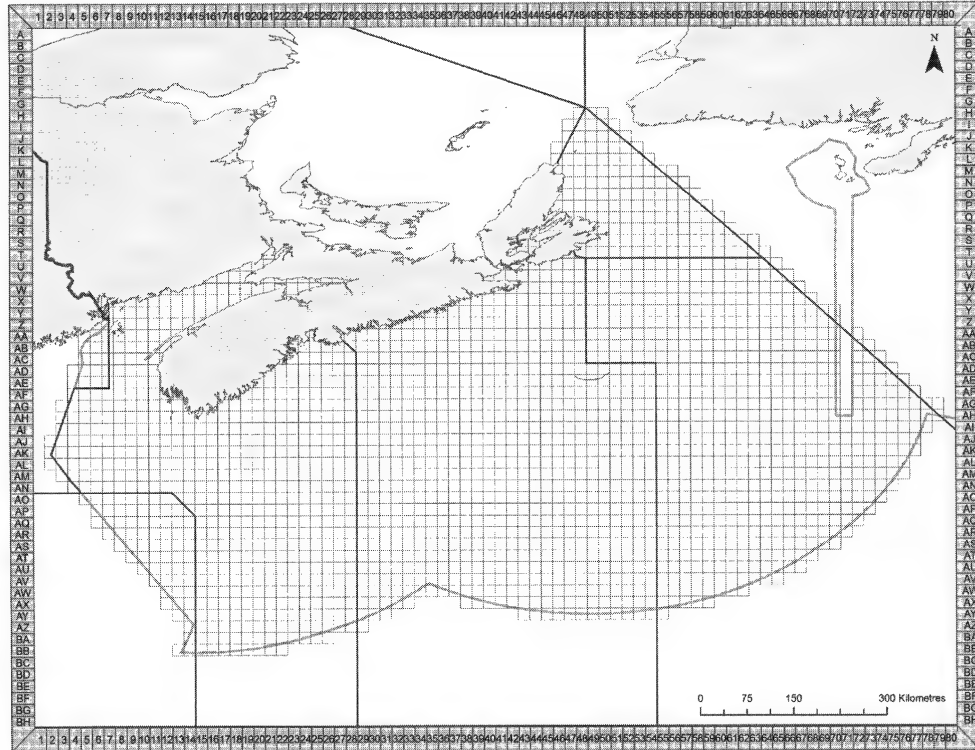
MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

Appendix B: Map of known foraging areas by time of year



Appendix C: Maritimes Region in 10x10 minute grid



Merriman, Catherine B

From: Sweet, Marilyn
Sent: March-23-18 12:46 PM
To: Berthier, Jacinta; Waters, Christa
Subject: FW: Maritime's response to NARW in 2018
Attachments: 2018Mar22_MarResponseNARW_CompiledScienceComments_HBM.docx

Hi there,

Maybe we can chat about this sometime. I sent the draft I prepared to Science and they had some concerns. They raised the main ones below, which leads me to some confusion of what other regions are doing and how things are not moving ahead collectively.

I highlighted main concerns below:

1. Without the plan science is preparing it makes no sense for me to draft how we will respond in RM short of knowing how we will receive information and how it will be validated.
2. I would like to have more info on what is being proposed by other regions. I asked the Gulf and did not get anything. They said they were waiting for it to be approved before sharing.
3. This changes things. I can use CH for plans, and omit foraging areas as they are not peer reviewed.
4. If there is a governance structure laid out for all regions and NHQ (who is leading what, when and where) it would be good to see in advance of drafting this.

I can set up a meeting with Science to discuss. I am only in the office Thursday next week.

Thanks

Mar

From: Moors-Murphy, Hilary
Sent: March-22-18 2:46 PM
To: Sweet, Marilyn
Cc: Niven, Sherry; Landry, Jean; Vézina, Alain
Subject: RE: Maritime's response to NARW in 2018

Hi Marilyn,

Several folks within our Science Advisory Group including myself as well as Alain have reviewed this document and provided feedback, which I have included in the attached document. I would particularly like to point out the key points that I outline at the very start of the document:

Major overarching points:

- This document does not accurately reflect what Science can actually do to support NARW Response. Please note that Science has been working on a document that describes how we propose to collect and disseminate information on NARW sightings that I think will be shared with other sectors next week.
- This document is not entirely consistent with what we have heard proposed by headquarters and other regions. In Science, all four east coast regions have been working closely together and with headquarters to develop our surveillance, data collection and data distribution plans. Consistency in the approach for response plans across regions, including in terms of triggers used, size of areas, duration of measures, etc, is important for being able to support these plans from the Science perspective, and to reduce potential error and confusion.
- We caution against using "known foraging areas" based on the predictive foraging area map included at the end of this document (Appendix B). That map is a predictive map that depicts areas where there may be aggregations of Calanus during various seasons. The work used to produce that map is ongoing and not yet peer-reviewed, and the areas outlined

should not be interpreted as "known foraging areas". Also note that Gulf Region has stepped away from basing measures on foraging areas so this is inconsistent with Gulf Region. In Maritimes Region, we do have two well established important habitats that have been clearly delineated for NARW for many years: their Grand Manan and Roseway Basin Critical Habitats. These two areas were defined at CH because of their importance to NARW for foraging, socializing and other life functions. There is a clear case to differentiate measures taken in CH vs other areas. The Science-based Review of Effectiveness of Recovery Measures for NARW clearly points out that implementing precautionary mitigation measures in identified CH when NARW are present to reduce risk of entanglement should be prioritized.

- Governance - this is a very detailed and possibly demanding approach that could be streamlined, and especially that would need to be better connected to the whole governance structure involving all regions and NCR.
- I strongly encourage a Science meeting with Regional RM folks to discuss how Science is proposing to collect and distribute information on NARW sightings from various sources. As well, we can discuss potential scenarios in terms of incoming sightings data that may not be so straight forward to deal with that RM should be aware of and think through in advance as to how they will deal with those scenarios.

Thank you for the opportunity to provide feedback.

Hilary

Dr. Hilary Moors-Murphy

Hilary.Moors-Murphy@dfo-mpo.gc.ca

902-426-8810

From: Sweet, Marilyn

Sent: March-19-18 12:14 PM

To: Grace, Michael; Merriman, Catherine B; Hayden, Jazmine; Buott-Matheson, Debra; Moors-Murphy, Hilary; Emery, Pamela

Cc: Waters, Christa

Subject: Maritime's response to NARW in 2018

Hi there,

Just wanted to send you a heads-up. I've been asked to pull together an internal response plan to how we would deal with different scenarios of Right Whales coming into our waters. I need to have a draft prepared for Friday and am hoping to send you all the document later today for review and input. I know it's a tight timeframe, but I'll send for comments as soon as I can. Just wanted to give you all a heads-up.

Thanks,

Mar

Marilyn Sweet

Senior Advisor | Conseillère principale

Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada | Pêches et Océans Canada

1 Challenger Dr | 1 promenade Challenger

PO Box 1006 | C.P. 1006

Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2

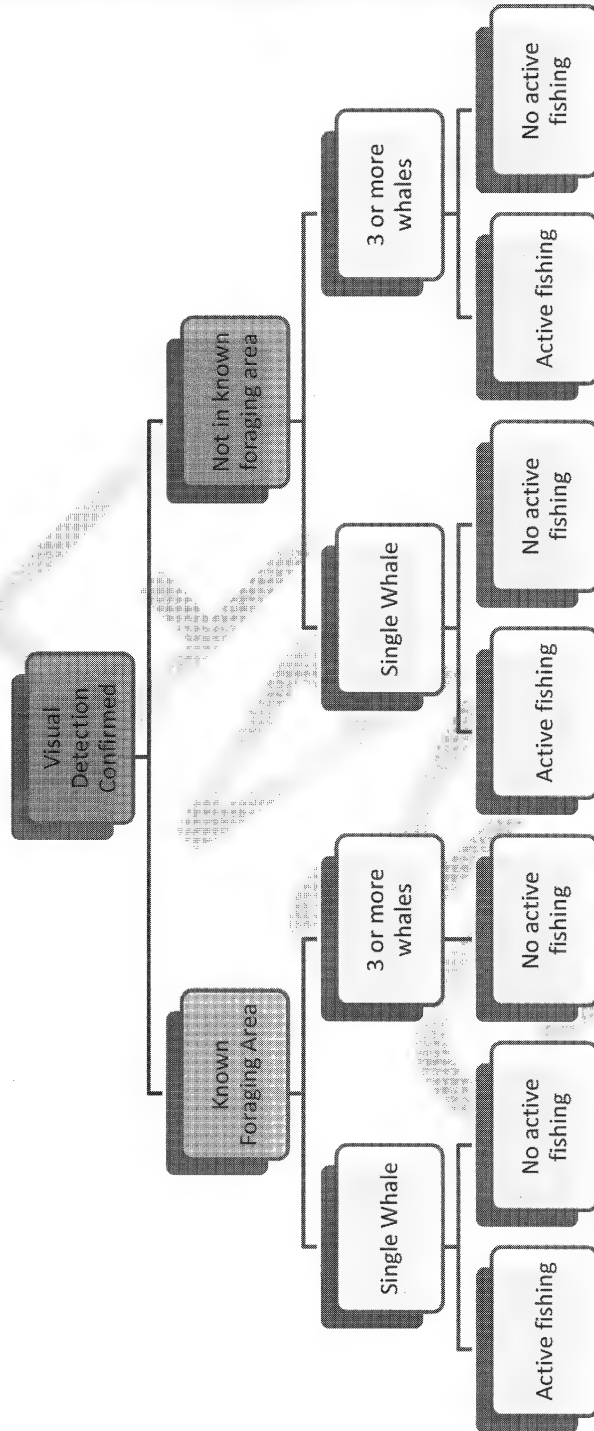
(902)-221-7269

Marilyn.Sweet@dfo-mpo.gc.ca

**Maritimes Region Draft Response Protocol:
Confirmed Visual Detection of North Atlantic
Right Whales**

March 2018

Decision Tree



North Atlantic Right Whale: Maritime Region Response

When DFO Maritimes is made aware of possible North Atlantic Right Whales (NARW) migrating through active fishing areas in our region, the above table is to be used to determine the appropriate response.

Section A: Confirmation of Reported Sighting

When a visual detection is reported to the Department, a qualified individual/individuals within DFO (or academia, CCG, NOAA, etc.) will be asked to confirm whether the detection is a NARW. Opportunistic sightings will require a verified video or picture.

Science Branch: will confirm or deny the sighting. If confirmed, relevant information is to be shared via email with the Distribution List (Appendix A). The subject of the email should read: *Confirmed NARW sightings in Maritimes*.

Information is to include:

- Coordinates of verified sighting
- Time and date of sighting
- Number of whales confirmed
- Who confirmed the sighting information
- Any other relevant/important information (i.e. mother and calf sighting, injuries, etc.).

Note: Non-verified sightings (including opportunistic reporting) will not trigger a response but may lead to increased surveillance if feasible.

Section B: Determine if in known foraging areas

Step 1: Review of foraging area

Upon confirmation of a visual detection, the Marine Mammal Advisor/Response Coordinator in Resource Management (RM) will work with Conservation and Protection to plot coordinates and determine whether or not the confirmed sightings are in known foraging areas. The chart in Appendix B should be referenced for this step.

Step 2: Relay information from review

Marine Mammal Advisor will relay findings to Distribution List. Subject of the email should read:

- Confirmed NARW sightings in Maritimes: in known foraging areas; or
- Confirmed NARW sightings in Maritimes: outside known foraging areas.

Step 3: Proceed to relevant section

Section C1: Confirmed NARW in known foraging areas (green and below on chart)

Section C2: Confirmed NARW outside known foraging areas (blue and below on chart)

Comment [HM1]: HBM: Major overarching points:

* This document does not accurately reflect what Science can actually do to support NARW Response. Please note that Science has been working on a document that describes how we propose to collect and disseminate information on NARW sightings that will be shared with other sectors next week.

... [1]

Comment [HM2]: HBM: should not use this terminology unless the focus is on transiting whales = "presence" would be a better term to use and I think is what is intended here:

Comment [HM3]: HBM: In general, consideration of the realistic timeframe involved with each of these steps needs to occur and be defined. As well, the information flow outlined in these:

... [2]

Comment [HM4]: HBM: What if a sighting is from an experienced, knowledgeable source but not accompanied by a video/photo? There are instances when we receive opportu

... [3]

Comment [HM5]: HBM: Science has developed an approach to this that will need to be shared with RM and incorporated into this plan.

Comment [HM6]: HBM: Probably not right term to use.

Comment [HM7]: HBM: We would prefer to avoid these confusing email chains; they will take more time and effort to write and respond to than just providing a map with the sightings or a summi

... [4]

Comment [HM8]: MDH: Not sure where we have landed on this information, but added pressure for Science and timely response

... [5]

Comment [HM9]: MDH: Rather than another mailing list can we have a point contact and they distribute to management people?

... [5]

Comment [HM10]: HBM: So are unconfirmed sightings wanted, or not wanted? Above it suggest that only confirmed NARW sightings are wanted by RM. We have heard from other tha

... [7]

Comment [HM11]: HBM: Appendix B is not known foraging areas (see comment above); why not differentiate between identified Critical Habitat and other areas? These are accepted important areas

... [8]

Comment [HM12]: HBM: So will RM make their own maps and maps are not needed from Science? The Science data collection and dissemination plans include development of maps on a regular b

... [9]

Comment [HM13]: MDH: I agree this is an EPM job, not a science job. It simplifies the process.

Section C1: Confirmed NARW in known foraging areas

Step 1: Determine the response scenario

The following are the possible scenarios for consideration:

- i. Single Whale-No Active Fishing
- ii. Single Whale- ~~with~~No Active Fishing Same as i.

Once the scenario is confirmed (with information provided in Step 1), proceed to the appropriate response.

i. Single Whale – Known foraging area with NO active fishing (NO CLOSURE)

Resource Management:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Draft Notice to fishers is updated with details of pertinent information (DRAFT NotFish to be prepared). NotFish to inform fishers of the area to avoid and that additional management measures may be required if the distribution of NARW changes.
- e) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 - a. Review foraging areas map, map of active fishing and overlay of confirmed sighting of whale.
 - b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Gear tending requirements;
 - iii. Define the area on a grid map (10x10 min grid)
 1. Include a buffer zone around 10x10 grid
 - iv. Determine if upcoming fisheries may need opening delayed

Conservation and Protection:

- a) Distribute Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 36h period.
- b) Advise RM if area is of concern for possible fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard:

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a 36h period.

Communications

- a) Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

Comment [D14]: JL - Assuming the streamlined governance proposed by Science to the RDG Cte will be adopted, the link could be made here with this group in order to narrow down a bit the number of people to be involved in communicating the info.

Comment [D15]: MOH - If there is no active fishing, why fill up the email of fishermen? Or is this by radio? If so, why clutter the airwaves for no fish?

HBM - Do fishers know that they will need to regularly monitor NOTFISH for information on NARW sightings? Based on conversations during Fisheries Engagement meetings, this may not be something fishers regularly check and there will have to be a clear communication plan for making them aware that this is the information source.

Comment [D16]: MOH: This is where clarity needed. Does science plot the whales, or will EFM plot their whales. If EFM plots their whales, science does not need to worry about which trigger is used in which region?

AFV: Ideally, everybody involved in the operational response should work from the authoritative private Whalemapp layer for the whale sightings. However, I am not sure about overlays.

Comment [D17]: JL - A direct link must be made here with the Surveillance WG to communicate the info that could guide the WG in its planning of flights:

MOH: Agreed-if the plane is in NE Gulf and fishery is SW NS what do we do? Hopefully science is not responsible - C&P would be tasked to deal with this

AFV - We have to contemplate that science survey plans might be changed if there is a response operation going on. SAR takes precedence over science in vessel-based missions. There is an analogy here.

Comment [D18]: HBM -Is this consistent with what Gulf region is doing?

Comment [D19]: HBM - How often will this message be broadcast?

Comment [D20]: HBM - Has TC been involved in this conversation and are aware that this will happen?

Science

- a) Provide input/advice to Resource Management
- b) Coordinate surveillance with C&P/TC and external partners

ii. Single Whale – Known foraging area WITH active fishing (DYNAMIC AREA CLOSURE)

When a NARW is confirmed sighted in a known foraging area (Appendix BA), action will be taken to close fisheries that are occurring and delay the opening of other fisheries.

Resource Management:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 - a. Review foraging areas map, map of active fishing and overlay with confirmed sighting of whale.
 - b. Provided recommendations for:
 - i. Surveillance plan
 - ii. Define the area on a grid map (10x10 min grid) (Appendix C)(OR 5X5? Wait to see what is recommended from Gulf to Minister)
 - 1. Include a buffer zone around 10x10 grid (Size to be determined)
 - iii. Determine if upcoming fisheries may need opening delayed
- e) Draft Variation Order with C&P
- f) Notice to fishers is updated with details of pertinent information (DRAFT NotFish to be prepared). NotFish to inform fishers of the area to be closed because of the presence of NARW.
 - a. Fishers will be provided with 72 hours of notice to retrieve their gear once the NotFish has been distributed. (Consideration given if weather conditions are not favorable and NotFish to be worded to take this into account).

Conservation and Protection:

- a) Distribute Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 15 day period.
- b) Draft Variation Order with RM
- c) Advise RM if area is of concern for possible fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard:

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a 15 day period.

Communications

- a) Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

Science

- a) Provide input/advice to RM
- b) Coordinate surveillance with C&P/TC and external partners

Comment [D21]: HBM – Provide input and advice on what exactly? It will probably not be reasonable to ask Science for input for every time this case occurs. RM should work with Science in advance. (now) to understand the possible scenarios that may occur and determine how they will deal with them in advance so that Science will not have to be consulted every time. Keep in mind that summer is our main field season and many of us will be flying in planes or out on boats, we may not always be readily available to answer questions.

JL - Assuming clear rules/triggers are established in advance, I do not see the needs for Science to provide input except to assist in the confirmation of the species when needed or in the determination of a 3 whale trigger (again if needed)?

MOH: As above - need to know who does the plotting, and whether we have different triggers or if we are consistent across regions.

AFV: With access to the data in the online Whalemap, and the ability to do some of their own plotting, they should not need us.

Comment [D22]: HBM – As mentioned above, we have a surveillance working group that will lead coordination of surveillance efforts between the various platforms. A direct link to this working group should be made here.

Comment [D23]: HBM – For how long? What is required to lift closure?

Comment [D24]: JL - Same comment as above

Comment [D25]: MOH - So there are the triggers and triggers for re-opening, and for the surveillance schedule - 1 flight with no whales to re-open, 2 flights with no whales?

Comment [D26]: JL - Good thing that regions are contemplating using the same approach in the case of a 3 whales trigger. If so, two aspects must be considered: the area that will trigger the 3 whales event, and the area closed once a 3 whale event is triggered.

Comment [D27]: HBM – Need to ensure consistent with other regions.

Comment [D28]: JL - I think Gulf was contemplating 48 hours. Need to check with Gulf.

Comment [D29]: HBM – What if more NARW sightings occur in the 15 day period? What happens to broadcast then?

Comment [D30]: HBM – Again, on what? What sorts of input will RM be looking from us?

Daily Updates

Following NotShip and Notfish being distributed a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- Subsequent sightings of the same whale (if identified)
- Additional confirmed sightings of other NARW
- Confirm compliance with dynamic closure and concerns from C&P
- Further surveillance measures for the closed areas
- Further surveillance of areas surrounding the closed area

Closure end

The closure will remain in effect for 15 days (as is the recommended duration by NOAA). The dynamic closure can be extended following the 15 day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

iii) 3 or more whales – Known foraging area without active fishing (DYNAMIC AREA CLOSURE)

The confirmation of 3 or more whales in a known foraging area will trigger a dynamic closure regardless of if there are active fisheries occurring or not. Steps as outlined in the previous section (C1 (ii)) should be followed.

Section C2: Confirmed NARW outside known foraging areas

The following are the possible scenarios for consideration:

- Single Whale- Not in Active Fishing Areas
- Single Whale- Active Fishing
- Three or More Whales- Not in Active Fishing Areas
- Three or More Whales- No Active Fishing

i. Single Whale- Not in Active Fishing Areas (NO CLOSURE)

When a NARW is confirmed in an area where there is no active fishing and it is NOT a foraging area, the following steps are to be taken:

- Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 - Review foraging areas map, map of active fishing and overlay with confirmed sighting of whale.

Comment [D31]: JL - I am a bit concerned about these daily meetings that will drain people's energy including Science experts. With daily reports and maps on whale sightings, I am just wondering about the need for these daily meetings?

MOH: Agreed-would be nice to streamline, science sends information to EFM, they decide to activate trigger or not, then re-opening based on rules associated with the triggers.

HBM - Strongly agree; there are many emails, phone calls and meetings outlined in this document, we will not be able to accommodate all of this.

AFV: Should be a semi-automatic process. However, RDGs sign off on variation orders and they tend to want to be briefed.

Comment [HM32]: HBM - How will this be determined? It will require planes or boats going out and collecting photographs. Note that all photo ID work including matching individuals currently done by New England Aquarium; we don't do this in-house and aren't really trained to process NARW photo ID data. As well, using imagery from C&P flights requires images to be released by C&P through Comms before sharing with external groups, may be quite a time lag on when we get photos from C&P, have the ... [10]

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Comment [D33]: JL - We have seen many variations around the same theme with EFM-Gulf and TC (extendable for 15 days after last sightings, requiring two flight with no whale observed to lift the closure, requiring two flights in good conditions during the 15 days period, requiring two flight in good condition ... [11]

Comment [D34]: JL - Unless I am misinterpreting this part, we should aim at establishing in advance the measures and triggers. We should not deal with such issues on a case by case basis.

AFV: Yep, but may not work that way. For ex., I would bet that the fishing ind ... [12]

Comment [D35]: HBM - Important to specify what size area to ensure the trigger is clear; this should be related to a density (# whales/km² for example) not a count in an unspecified size area.

Comment [HM36]: HBM - How will potential duplicate sightings be dealt with? For example - three boats in an area all send a NARW sighting that we can confirm via blurry photographs; could be same individual or could be four individuals but we don't know. Or one boat sends in a sighting of two NARW in the AM at ... [13]

Comment [D37]: MOH - Does this mean all boats? Less than 20m? so can they transit the area, or a speed restriction?

- b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to foraging areas, number of possible active licences, other considerations).
 - iii. Determine the required frequency of calls for the situation.
- ii. **Single Whale- In an Area with Active Fishing (NO CLOSURE)**

When a NARW is confirmed in an area where there is active fishing but NOT a foraging area, the following steps are to be taken:

- a) Marine Mammal Advisor to consult fishing opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 - a. Review foraging areas map, map of active fishing and overlay with confirmed sighting of whale.
 - b. Provided recommendations for:
 - i. Surveillance plan;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to foraging areas, number of possible active licences, other considerations).
 - iii. Determine the required frequency of calls for the situation.
- jjj) Draft Variation Order with C&P (in the event that a closure is required as a next step. Not to be distributed at this step).
- kkk) Notice to fishers is updated with details of pertinent information (DRAFT NotFish to be prepared). NotFish to inform fishers that a NARW has been detected and the Department is monitoring the situation, carrying out surveillance and asks harvesters to report any sightings of NARW).

Conservation and Protection:

- a) Distribute Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a ??h/??day period.
- b) Draft Variation Order with RM
- c) Advise RM if area is of concern for possible fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard:

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.

Communications

- a) Communications plan on advising media of Department's approach to minimizing risk of interaction with fisheries is drafted. On standby for notification to media.

Science

- a) Provide input/advice to RM
- b) Coordinate surveillance with C&P/TC and external partners

Daily Updates

Following NotShip and Notfish being distributed a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with dynamic closure and concerns from C&P
- d) Further surveillance measures for the closed areas
- e) Further surveillance of areas surrounding the closed area

iii. **Three or More Whales- Not in Active Fishing Areas (DYNAMIC AREA CLOSURE)**

This scenario will trigger the same response as C1 (ii): Single Whale – Known foraging area with active fishing (**DYNAMIC AREA CLOSURE**)

iv. **Three or More Whales- In Active Fishing Area (DYNAMIC AREA CLOSURE)**

This scenario will trigger the same response as C1 (ii): Single Whale – Known foraging area with active fishing (**DYNAMIC AREA CLOSURE**)

Additional Considerations

The following questions will need to be discussed with relation to the specifics of the situation:

- a. What fisheries are active in the area where whales are present?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in what area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types?
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? (72h adequate?)
 - ii. Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, will we consider the NOAA model of 15 day closures? After 15 days the closure could automatically expire if no other NARW are sighted?
- g. Will we remove the closure early if we have confirmation that whales have left the area? (through identification of specific animals then seen in other areas?)

Comment [D38]: HBM – NARWs present?

Comment [D39]: HBM – How will this be determined? Does RM expect Science to define this?

Comment [D40]: HBM – We don't know a lot about what type of gear is of greatest risk to NARW... What will happen if we don't really know the extent of a risk a particular type of gear poses? (which will be the case most of the time)

Comment [D41]: JL – Assuming this information (e.g. type of gear and likely risk of a given fishery) is already available then during the season, it will be just a matter of determining which fisheries are active in a given area at any time.

Comment [D42]: HBM – When would it NOT be advisable to close a fishery if NARWs are present in the area? Can you provide some examples of when you wouldn't follow this decision tree?

Comment [D43]: HBM – Do we have any data on hand that can actually answer this question?

Comment [D44]: JL – See previous comment

Appendix A: Distribution List

Resource Management	Jacinta Berthier	(902 240-3967)	Jacinta.Berthier@dfo-mpo.gc.ca
	Marilyn Sweet	(902 221-7269)	Marilyn.Sweet@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902 499-1702)	Michael.Grace@dfo-mpo.gc.ca
	Alternate?		
Communications	Jazmine Hayden	(902 221-5613)	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902 426-6019)	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Hilary Moors-Murphy	(902 426-8810)	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902 225-6005)	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902 580-7425)	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902 401-8437)	Catherine.Merriman@dfo-mpo.gc.ca
Oceans	Scott Coffen-Smout	(902 426-2009)	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

Important numbers (not distribution list)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

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Comment [D45]: MOH: The info should go to Pam (or designate) who for now is our point person. She can include it in the maps, so others interested can check as to their interest and availability. This will reduce email clutter as well.

This could be applied to all others as well. If we set up a share site, or website, people can be referred to the site. We know that the email list will grow with time, and as people are on vacation. Rather than going the email route, people can check the sharepoint/website as needed, and they can inform their designates as part of the tasks to do when people are acting as interims.

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Comment [D46]: MOH: The info should go to Pam Emery (or designate) who for now is our point person. She can include it in the maps, so others interested can check as to their interest and availability. This will reduce email clutter as well. This could be applied to all others as well. If we set up a share site, or website, people can be referred to the site. We know that the email list will grow with time, and as people are on vacation. Rather than going the email route, people can check the sharepoint/website as needed, and they can inform their designates as part of the tasks to do when people are acting as interims.

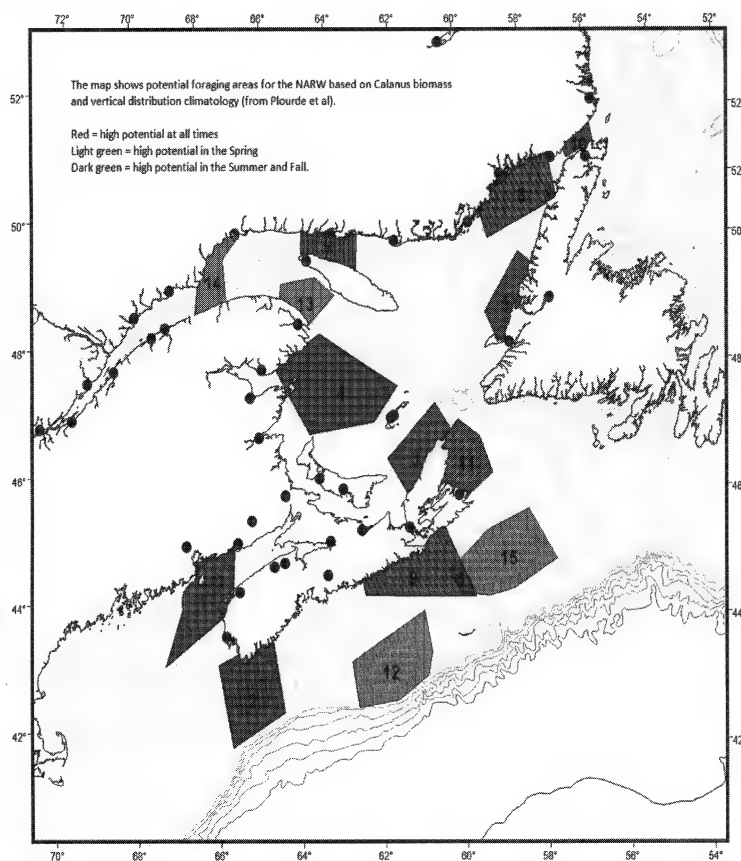
HBM – Agree with Mike's points above. And this not the correct distribution list for Science, but we in Science will need to discuss who should be on here for our region.

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Comment [D47]: HBM – Should add our whale sightings phone number and email:

... [14]

Appendix B: Map of known foraging areas by time of year

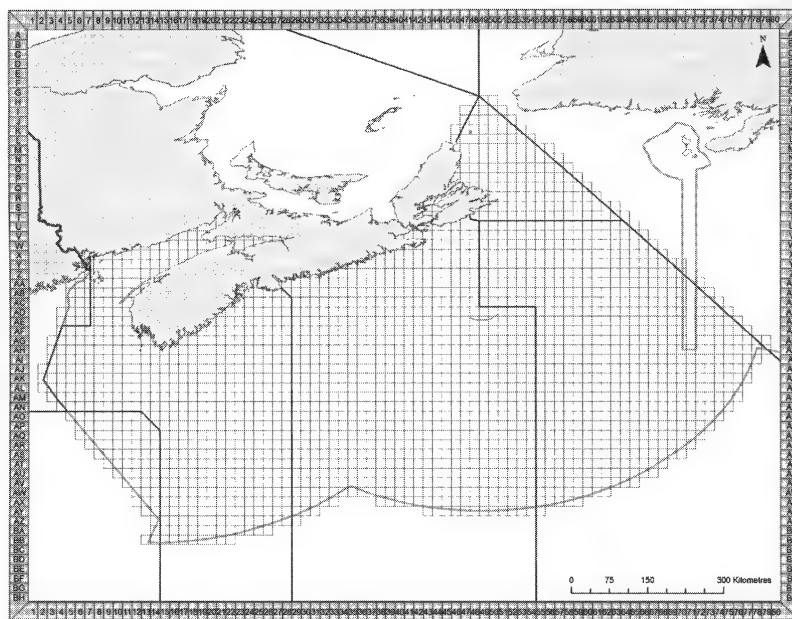


Comment [D48]: HBM - This is NOT a map of KNOWN foraging areas! It is a predictive map of potential foraging areas. See my notes above.

MOH - We have identified areas as potential foraging areas based on a preliminary analysis of some data. We do not have an appreciation of the inter-annual variability in the data, or what is driving it ie are the potential zones being driven by historical data, or driven by data from the last 5 years? We have used the forage zones to help with the survey design, to try to prove that the potential forage zones are or are not important to NARW-right now it is all theoretical-that is why it is important that the science plan check out these areas, setting up 2 different management frameworks based on non-peer reviewed data that is currently speculative seems risky and complicates the management framework.

MH - The forage area language was in some of Gulf FAM's original memo and through discussions with us they decided to remove them precisely due to the same factors outlined below. "Simpler is better" should be our mantra.

Appendix C: Maritimes Region in 10x10 minute grid



HBM: Major overarching points:

- This document does not accurately reflect what Science can actually do to support NARW Response. Please note that Science has been working on a document that describes how we propose to collect and disseminate information on NARW sightings that will be shared with other sectors next week.
- This document is not entirely consistent with what we have heard proposed by headquarters and other regions. In Science, all four east coast regions have been working closely together and with headquarters to develop our surveillance, data collection and data distribution plans. Consistency in the approach for response plans across regions, including in terms of triggers used, size of areas, duration of measures, etc, is important for being able to support these plans from the Science perspective, and to reduce potential error and confusion.
- We caution against using "known foraging areas" based on the predictive foraging area map included at the end of this document (Appendix B). That map is a predictive map that depicts areas where there may be aggregations of Calanus during various seasons. The work used to produce that map is ongoing and not yet peer-reviewed, and the areas outlined should not be interpreted as "known foraging areas". Also note that Gulf Region has stepped away from basing measures on foraging areas so this is inconsistent with Gulf Region. In Maritimes Region, we do have two well established important habitats that have been clearly delineated for NARW for many years: their Grand Manan and Roseway Basin Critical Habitats. These two areas were defined at CH because of their importance to NARW for foraging, socializing and other life functions. There is a clear case to differentiate measures taken in CH vs other areas. The Science-based Review of Effectiveness of Recovery Measures for NARW clearly points out that implementing precautionary mitigation measures in identified CH when NARW are present to reduce risk of entanglement should be prioritized.
-
- Governance - this is a very detailed and possibly demanding approach that could be streamlined, and especially that would need to be better connected to the whole governance structure involving all regions and NCR.
-
- I strongly encourage a Science meeting with Regional RM folks to discuss how Science is proposing to collect and distribute information on NARW sightings from various sources. As well, we can discuss potential scenarios in terms of incoming sightings data that may not be so straight forward to deal with that RM should be aware of and think through in advance as to how they will deal with those scenarios.

HBM - In general, consideration of the realistic timeframe involved with each of these steps needs to occur and be defined. As well, the information flow outlined in these steps does not line up with what Science has proposed we can do. RM needs to discuss information flow with Science (see my note above about a meeting).

HBM - What if a sighting is from an experienced, knowledgeable source but not accompanied by a video/photo? There are instances when we receive opportunistic sightings from well qualified sources that we should consider accurate sightings even if not accompanied by a photo. It is OK if RM will require a photo/video to support the sighting, but Science needs to be aware of these requirements so we can prioritize the sightings we validate.

HBM - We would prefer to avoid these confusing email chains; they will take more time and effort to write and respond to than just providing a map with the sightings or a summary to a single point of contact that RM can then communicate to whom they need.

MOH - Rather than another mailing list can we have a point contact and they distribute to management people?

AV - Yep. I pointed that out at the bi-weekly RDG meeting and Jenn Buies said that they had not thought of a single contact for their side. They have a lot of work to do on their side.

Page 2: [5] Comment [HM9] **Hilary Moors-Murphy** **22/03/2018 1:51:00 PM**

MOH - Rather than another mailing list can we have a point contact and they distribute to management people?

AV - We can't meet these requirements for opportunistic sightings. This requires a lot of sleuthing and we don't have the resources to do that. Maybe the MMOs on their month off can help with this, but then who works on loading the data? Need to discuss this seriously with FM and other sectors.

HBM - We have a capacity issue in terms of dealing with sightings reports coming into the 1-800 number/xmarwhalesightings@ email. This is not a service phone line or email monitored 24/7. Messages and emails received are checked by our data technician as time and availability allow. With current personnel resources, we will not be checking these every day and certainly not on weekends or in evenings. We will try to check new messages within day but in many cases it may have to be done on more of a weekly basis, and ability to do so will depend on the volume of sightings coming in. When messages are being checked digitization of the sighting information and then packaging it up in an email like this will take additional time. If RM wants opportunistic sightings coming into our 1-800 number and email to be verified and distributed in this format in a more timely manner, then they will have to provide the human resources to do so. For NARW sightings being reported from the planes via sat phone (as RM has suggested should happen) - we need an RM central point of contact to relay the information to verbally who will then need to distribute accordingly, noting that these phone calls may come in at any point in the day (eg., early morning, evening, weekends).

Page 2: [6] Comment [HM8] **Hilary Moors-Murphy** **22/03/2018 11:46:00 AM**

MOH - Not sure where we have landed on this information, but added pressure for Science and timely response.

AV - Yep. I pointed that out at the bi-weekly RDG meeting and Jenn Buies said that they had not thought of a single contact for their side. They have a lot of work to do.

Page 2: [7] Comment [HM10] **Hilary Moors-Murphy** **22/03/2018 1:52:00 PM**

HBM - So are unconfirmed sightings wanted, or not wanted? Above it suggest that only confirmed NARW sightings are wanted by RM. We have heard from other that unconfirmed sightings will also need to be communicated (which will take more even time).

Page 2: [8] Comment [HM11] **Hilary Moors-Murphy** **22/03/2018 11:52:00 AM**

HBM - Appendix B is not known foraging areas (see comment above); why not differentiate between identified Critical Habitat and other areas? These are accepted important areas for NARW in our region based on decades of data - if NARW are present in these areas this year, they should warrant special attention!

JL - While we have not seen yet the final proposed measures for the SGSL, I understand that Gulf has stepped back from the approach of linking their measures closely to the potential foraging areas as there is a lot of uncertainty regarding these areas. This approach proposed for Maritimes Region could therefore be interpreted by some as a lack of consistency among DFO regions.

MOH: my point with the decision tree-having 2 approaches on whether known or unknown foraging is not solid at this point

AV - ... And it makes the management regime unduly complicated. Basically their response should be targeted to fishing areas and there should be one protocol outside of high risk fishing zones.

Page 2: [9] Comment [HM12] **Hilary Moors-Murphy** **22/03/2018 11:11:00 AM**

HBM – So will RM make their own maps and maps are not needed from Science? The Science data collection and dissemination plans include development of maps on a regular basis (but perhaps not over as short of time frames as needed by RM).

Page 5: [10] Comment [HM32]

Hilary Moors-Murphy

22/03/2018 11:13:00 AM

HBM – How will this be determined? It will require planes or boats going out and collecting photographs. Note that all photo ID work including matching individuals currently done by New England Aquarium; we don't do this in-house and aren't really trained to process NARW photo ID data. As well, using imagery from C&P flights requires images to be released by C&P through Comms before sharing with external groups, may be quite a time lag on when we get photos from C&P, have them vetted and released, send to NEAq, and then have them analyze and send results back. Does it really matter if it is the same individuals or not? For purposes of mitigation measures

Page 5: [11] Comment [D33]

DFO-MPO

22/03/2018 2:24:00 PM

JL - We have seen many variations around the same theme with EFM-Gulf and TC (extendable for 15 days after last sightings, requiring two flight with no whale observed to lift the closure, requiring two flights in good conditions during the 15 days period, requiring two flight in good conditions plus one of these flight done during the last 5 days of the closure period, ETC...). Might be good if DFO (at least) would land on a similar approach.

MOH: usa uses 14 days, not sure why we suggest 15 days?

HBM – Does Rm have a clear rationale provided around these triggers and timelines; why 15 days?

Page 5: [12] Comment [D34]

DFO-MPO

22/03/2018 2:22:00 PM

JL - Unless I am misinterpreting this part, we should aim at establishing in advance the measures and triggers. We should not deal with such issues on a case by case basis.

AFV: Yep, but may not work that way. For ex., I would bet that the fishing industry will pressure to re-open early if there are no sightings. And there is the RDG accountability issue Etc ... etc ...

Page 5: [13] Comment [HM36]

Hilary Moors-Murphy

22/03/2018 11:14:00 AM

HBM – How will potential duplicate sightings be dealt with? For example - three boats in an area all send a NARW sighting that we can confirm via blurry photographs; could be same individual or could be four individuals but we don't know. Or One boat sends in a sighting of two NARW in the AM and another sightings in same general area in the PM – is that two whales hanging out or four whales? We won't really know but if we plot these sightings on a map they will show up as four sightings in the same general area.

Page 9: [14] Comment [D47]

DFO-MPO

22/03/2018 2:34:00 PM

HBM – Should add our whale sightings phone number and email:

Maritimes (Mar) Region maintains a 1-800 bilingual toll-free phone number and email address for reporting live, free-swimming whale sightings to DFO:

- Toll-free: 1-844-800-8568
- Email address: XMARWhaleSightings@dfo-mpo.gc.ca

Merriman, Catherine B

From: Merriman, Catherine B
Sent: April-04-18 11:42 AM
To: Sweet, Marilyn; Moors-Murphy, Hilary
Subject: RE: Dynamic closures

Looking at the predicted foraging areas map, I have a question about area 9 (high potential in summer and fall) – is this the area where exploratory whelk fishing has been brought in / expanded in recent years? I.e. adding entanglement risk into an area that has high potential for right whale presence?

Hilary, I suppose that area will be part of increased surveillance effort?

Cathy

From: Sweet, Marilyn
Sent: April-04-18 8:48 AM
To: Merriman, Catherine B; Moors-Murphy, Hilary
Subject: FW: Dynamic closures

FYI. The Gulf is going on the foraging areas for their closures. I need to finish my draft protocol for closures soon and might need to chat with you both. I would rather use CH if possible as we discussed.

Mar

From: LeBlanc, Carole L
Sent: April-04-18 8:41 AM
To: MacDonald, Carl; Chavez, Maité; Lemelin, Dario; Morin, Bernard; Sweet, Marilyn
Subject: Dynamic closures

Hello,

Following last week's announcement from the Minister in regards to dynamic closures (1 NARW in identified forage areas would trigger a 15 day closure), I am wondering if other regions have identified which fisheries would be affected by these dynamic closures. We've compiled the following list for our fisheries (see table in attachment).

thanks

Carole LeBlanc

Regional Manager, Fisheries and Aquaculture Management
Gestionnaire régionale, Gestion des pêches et aquaculture
343 Université Ave. Moncton, NB E1C 9B6
Telephone | Téléphone: 506-851-2147
Faxsimile | Télécopieur: 506-851-2620
Internet: Carole.LeBlanc@dfo-mpo.gc.ca

Merriman, Catherine B

From: Leger, Sylvie
Sent: April-04-18 9:02 AM
To: Sweet, Marilyn; LeBlanc, Carole L; Hardy, Matthew A (Moncton)
Cc: Buie, Jennifer; Elliott, Isabelle
Subject: RE: dynamic management plan
Attachments: Foraging Areas - Standard Grids.jpg

Hi Marilyn,

This is a summary of our dynamic protocol. We still need to finalize the details/logistics of the protocol internally, but you will find the triggers and duration of the closures, etc. below. I'm also attaching a map that show the foraging areas (the ones in red; # 3&4) for the Southern Gulf of St. Lawrence, and you can also see the soft shell grids that we will use for the closures.

We will share more details with you as we finalize internal details of our protocol, including which other fisheries the protocol will apply, etc...

Hope this helps for now.

Sylvie

Protocol for the dynamic management of the fisheries

DFO will implement a protocol for the dynamic management of the fisheries in 2018 which will close areas to fishing activities when the presence of NARW is observed. This protocol will allow DFO to close specific areas to fishing activities to prevent incidents with NARW, such as entanglements. DFO will use the existing soft shell/white crab grids to close areas due to the presence of NARW.

Observations inside a foraging area

When at least one NARW is observed inside a foraging area, a total of nine grids will be closed to provide a buffer area around the sighting location to account for whale movements.

Closing and reopening of the areas

Closures will be in force for a minimum period of 15 days and will be extended by 15 days from the last NARW sighting. If NARWs are not seen during at least two aerial surveillance flights (under good weather conditions) during the 15 days period, the dynamic closure for the relevant sections will be automatically lifted at the end of the period. Closures will be regulated through variation orders and licence holders will be provided an advance notice of 48 hours to retrieve fishing gear from the area prior to closure.

From: Sweet, Marilyn
Sent: 2018-March-27 2:47 PM
To: LeBlanc, Carole L; Hardy, Matthew A (Moncton)
Cc: Buie, Jennifer; Leger, Sylvie
Subject: Re: dynamic management plan

Hi there

Just wondering if this has been finalized yet and if I can have a copy? I am still working on this for the Maritimes and would like to have consistency where possible.

Thanks,

Mar

Sent from my BlackBerry 10 smartphone on the Bell network.

From: LeBlanc, Carole L
Sent: Tuesday, March 20, 2018 2:46 PM
To: Sweet, Marilyn; Hardy, Matthew A (Moncton)
Cc: Buie, Jennifer; Leger, Sylvie
Subject: RE: dynamic management plan

Hi Marilyn,

As Matthew mentioned, it is part of the memo for decision. As it is not approved yet, it may be modified while going through the vetting process.

Carole

From: Sweet, Marilyn
Sent: 2018-March-19 1:47 PM
To: Hardy, Matthew A (Moncton)
Cc: Buie, Jennifer; LeBlanc, Carole L
Subject: RE: dynamic management plan

Thanks Matt

Mar

From: Hardy, Matthew A (Moncton)
Sent: March-19-18 1:25 PM
To: Sweet, Marilyn
Cc: Buie, Jennifer; LeBlanc, Carole L
Subject: Re: dynamic management plan

There are a few option proposed by EFM in our snow crab memo that will be put to the Minister for a decision. I expect a final protocol will be confirmed based on that decision.

Matt

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Sweet, Marilyn
Sent: Monday, March 19, 2018 12:57 PM
To: Hardy, Matthew A (Moncton)
Cc: Buie, Jennifer
Subject: dynamic management plan

Hi Matt,

I received the document you and your group prepared and it came out after the meeting in Ottawa in late January on dynamic management. I was wondering where the Gulf was on deciding which option to go forward with for dynamic closures. I need to prepares some documents here so I was hoping I could follow on some of the work you've done and have some consistency where possible.

Hope all is well with you!

Thanks,

Mar

Marilyn Sweet
Senior Advisor | Conseillère principale

Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada |
Pêches et Océans Canada
1 Challenger Dr | 1 promenade Challenger
PO Box 1006 | C.P. 1006
Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2
(902)-221-7269
Marilyn.Sweet@dfo-mpo.gc.ca

Merriman, Catherine B

From: Merriman, Catherine B
Sent: April-05-18 9:03 AM
To: Moors-Murphy, Hilary; Sweet, Marilyn
Subject: RE: ! foraging areas and snow crab fisheries

Thanks, this answers some of the questions Marilyn and I were talking about yesterday, and I was going to try to source out some of the information behind that map. Good to know at least one DFO silo had a handle on it!

Right whale habitat has been referred to regularly in the past as "high-use habitat", reflecting exactly Mike's points.

Cathy

From: Moors-Murphy, Hilary
Sent: April-05-18 8:34 AM
To: Sweet, Marilyn
Cc: Merriman, Catherine B
Subject: RE: ! foraging areas and snow crab fisheries

Thought you two might be interested in this very relevant conversation about use of the term "foraging area" in the southern Gulf. Pay close attention to Mike's points.

CH in NS waters is a different case - they have been identified as important foraging areas based on decades of research and we can refer to the 2014 Recovery Strategy:

Listed functions of NARW Grand Manan and Roseway Basin CH:

- Adult foraging and feeding
- Calf nursing and rearing
- Resting and socializing

Description of the functions, features and attributes of these CH areas:

"Biophysical functions, features and attributes"

The RPA stated that critical habitat for right whales in Canadian waters must allow successful feeding to ensure that sufficient energy reserves are accumulated to support the energetic cost of basal metabolism, growth, reproduction, and lactation. It has been hypothesized in several studies that variation in right whale condition, reproductive rate, and spatiotemporal distribution may be related to successful foraging (Caswell et al. 1999, Kenney et al. 1995, Kenney 2001). For example, during the 1990s the average calving interval increased from 3 to 6 years (Kraus et al. 2001), and during the same period whales that had usually been sighted in Roseway Basin were seen in the Bay of Fundy (Kenney 2001). A consensus working hypothesis proposed to explain these observations (e.g. Patrician 2005) is that during this period copepod concentrations in Roseway Basin were insufficient to meet right whale energy demands, and thus right whales moved into another predictable habitat nearby – Grand Manan Basin. Grand Manan Basin may have lacked the energy reserves necessary to support the increased number of whales in the Bay, and thus may have played a role in the observed reproductive failure (increased calving intervals and fewer births). This period of extended calving intervals was followed subsequently by five years of relatively higher birth rates, a return to shorter average calving intervals. (Kraus et al. 2005) and an increase in the number of right whales observed in Roseway Basin.

Critical habitat has to provide this level of foraging success for right whales on a predictable, interannual basis. Based on what is known about prey preference of right whales and the distribution of their prey, a fairly robust, science-based description of generic critical habitat for right whales was developed through the RPA, as follows: critical habitat includes areas that possess the environmental, oceanographic and bathymetric conditions that aggregate concentrations of right

whale prey, especially stage C5 *Calanus finmarchicus* copepodites, at interannually predictable locations. It is likely that critical habitat in Canadian waters is seasonal in nature. Both right whale abundance and stage C5 *Calanus finmarchicus* concentrations peak during the late summer and early autumn in the Bay of Fundy and on the Scotian Shelf. If in the future evidence was gathered suggesting that an area in Canadian waters supported an activity or behaviour, other than feeding, that is vital to life cycle closure, then the definition of critical habitat could be re-evaluated to determine if expansion of the definition is warranted.

Table 1 summarizes the best available knowledge of the functions, features and attributes for each life-stage of the North Atlantic right whale. Note that not all attributes in Table 1 must be present in order for a feature to be identified as critical habitat."

From: Moors-Murphy, Hilary
Sent: Thursday, April 05, 2018 8:26 AM
To: Burns, Adam; Hammill, Mike; Landry, Jean; Ratelle, Stephanie M; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Elliott, Michael S; Buie, Jennifer
Subject: RE: ! foraging areas and snow crab fisheries

Completely agree with Mike's points below - we cannot defend these areas as foraging areas on a scientific basis. Many knowledge gaps remain around why and how the whales use the southern Gulf and we need to be careful how we communicate these areas.

From: Burns, Adam
Sent: Wednesday, April 04, 2018 5:54 PM
To: Hammill, Mike; Landry, Jean; Ratelle, Stephanie M; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: Re: ! foraging areas and snow crab fisheries

Hit send to quickly. Simply to add that this area has already been defined through our management decision process.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Burns, Adam
Sent: Wednesday, April 4, 2018 4:51 PM
To: Hammill, Mike; Landry, Jean; Ratelle, Stephanie M; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: Re: ! foraging areas and snow crab fisheries

Let's just call them "Areas subject to the temporary closure protocol in the Southern Gulf".

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Hammill, Mike
Sent: Wednesday, April 4, 2018 4:44 PM
To: Landry, Jean; Ratelle, Stephanie M; Burns, Adam; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: RE: ! foraging areas and snow crab fisheries

We need to clarify-as science we cannot say foraging areas. Even saying potential foraging areas is playing loose with the facts at this point. There has been no peer review of this. We need to be careful if we want to maintain credibility with industry, the public and our peers. This we need to be strict on.

We are much better to return to some reasoning that refers back to our csas advice and identify that based on observations particularly in 2017 (as well as some very limited 'historical' data), area 4 was an area of high use. We think this **might** be food related, but it is **only a hypothesis** at this point and our program in 2018 will begin to address this hypothesis. Animals may have stayed in the area for other reasons as well (e.g. social interactions). So there could be several reasons that the animals were attracted and remained in the area. Based on this csas advice we anticipate that many animals could return to the same area in 2018. Also, based on drift trajectories (again no peer review), it appears that many of the 2017 mortalities may have originated from this area in the gulf. So for now we view it as a sensitive area requiring additional management attention to try to avoid a repeat of what happened in 2017.

This is skating as well, but I hope it is closer to the facts.

From: Landry, Jean
Sent: 4 avril 2018 16:29
To: Ratelle, Stephanie M; Burns, Adam; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Hammill, Mike; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: TR: ! foraging areas and snow crab fisheries
Importance: High

Thanks for sharing Stephanie,

I am CCing Adam here to make sure we are on common grounds before it is shared with fishermen. If this refers to Minister's announcement, my understanding is that the only area at play would be the box no 4 in the attached document as this is the area targeted by potential closures (temporary or permanent). The term ``foraging area or foraging ground`` has been used but seems that there is still confusion. I'm using what I have heard from Adam today.

Adam: please clarify as you see fit.

Jean

Jean Landry
Director , Marine Mammals Science
Fisheries and Oceans Canada / Government of Canada
Jean.Landry@dfo-mpo.gc.ca / Tel: 613-993-0029

Directeur, Science – Mammifères marins
Pêches et Océans Canada / Gouvernement du Canada
Jean.Landry@dfo-mpo.gc.ca / Tél. : 613-993-0029



Government
of Canada

Gouvernement
du Canada

Canada

De : Ratelle, Stephanie M
Envoyé : 4 avril 2018 15:56
À : Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>; Nadeau, Simon <Simon.Nadeau@dfo-mpo.gc.ca>; Hardy, Matthew A (Moncton) <Matthew.Hardy@dfo-mpo.gc.ca>
Cc : Gosselin, Jean-Francois <Jean-Francois.Gosselin@dfo-mpo.gc.ca>; Hammill, Mike <Mike.Hammill@dfo-mpo.gc.ca>; Lawson, Jack <John.Lawson@dfo-mpo.gc.ca>; Moors-Murphy, Hilary <Hilary.Moors-Murphy@dfo-mpo.gc.ca>; Elliott, Michael S <Michael.Elliott@dfo-mpo.gc.ca>
Objet : ! foraging areas and snow crab fisheries
Importance : Haute

Hi folks,

Our EFM folks (and specifically Sylvie who has the snow crab file in Gulf) has been asked to send maps to the snow crab harvesters to identify the 'foraging zones' as per the Ministers announcement. The attached maps has the softshell snowcrab grids overlapping the Zone 3 & 4 high potential foraging areas. The harvesters want access to that 'data' (or at least know what the potential foraging zones are) but there isn't anything published right? I know Matthew has received some calls on 'where is this published, what do they look like' etc. but as I recall this was JF identifying areas of higher probability of observing NARWs for our surveys (based on Stephane Plourde's work). Polygons were a lot easier to follow than the 'heat maps' Stephane produced. I'm not sure what advice I'm seeking here as the Minister announced these zones as the ultimate protection areas and the public (and especially harvesters) haven't seen them yet. Michael didn't want to go off on our own here to provide the maps, and it's just specifically for Gulf Snow crab right now- not all the others. Approval/advice/thoughts for these polygons (high potential foraging zones) to be 'published' as part of the management of the fisheries?

PS- I've asked Michael to change the legend title to 'High Potential Foraging Zones' (translated: Zone d'alimentation à haut potentiel?! JF help!).

From: Leger, Sylvie
Sent: April-04-18 4:04 PM
To: Elliott, Michael S
Cc: Ratelle, Stephanie M
Subject: RE: foraging areas

Thank you!

Would you be able to translate the legend in the map? I want to send it to fish harvesters.

Legend :

Survey Areas based on foraging suitability / Zones du relevé selon la pertinence des zones d'alimentation ???
Stephanie do you know how to translate?

Spring / Printemps
Spring-Fall / Printemps-automne
Summer-Fall / Été-automne

From: Elliott, Michael S
Sent: 2018-April-04 3:49 PM
To: Leger, Sylvie
Subject: RE: foraging areas

No foraging areas fall within CFA 12E

From: Leger, Sylvie
Sent: April-04-18 2:27 PM
To: Elliott, Michael S <Michael.Elliott@dfp-mpo.gc.ca>
Subject: foraging areas

Mike,

Does one of the foraging area fall within snow crab Area 12E?

Sylvie Léger

Regional Senior Fisheries and Aquaculture Management Officer / Agente principale régionale, Gestion des pêches et de l'aquaculture

Fisheries and Oceans Canada / Pêches et Océans Canada


343, ave. University Ave., P.O. Box / C.P. 5030

Moncton, NB, E1C 9B6

E-mail: Sylvie.Leger@dfo-mpo.gc.ca

Tel. : (506) 851-2278

Fax : (506) 851-7732

 [@DFO_Gulf](#), [@MPO_Golfe](#)

Merriman, Catherine B

From: Moors-Murphy, Hilary
Sent: April-05-18 5:15 PM
To: Grace, Michael; Sweet, Marilyn; Merriman, Catherine B; Hayden, Jazmine; Webster, Corey J
Cc: Waters, Christa; Labelle, Mark; Niven, Sherry; Higginson, Simon; Landry, Jean
Subject: RE: Response to NARW in Mar Region April 4-DRAFT.docx
Attachments: Response to NARW in Mar Region April 4-DRAFT_Grace Comments_HBM.docx

Hu Marilyn,

My comments on top pf Mike's attached. Needs a bit more work to align with the protocols currently being discussed, including SitCen (see attached comments for more details).

Hil

From: Grace, Michael
Sent: Thursday, April 05, 2018 1:37 PM
To: Sweet, Marilyn; Merriman, Catherine B; Hayden, Jazmine; Webster, Corey J; Moors-Murphy, Hilary
Cc: Waters, Christa; Labelle, Mark
Subject: RE: Response to NARW in Mar Region April 4-DRAFT.docx

You asked.

I have been working on SOP's and provided some suggestions re: more direct wording. As we all know responses and triggers need to be established at a table top exercised so I did not comments on those areas.

I copied our Chief of regulations as he is the person responsible for varation orders and he will need to have input.

Cheers!!

From: Sweet, Marilyn
Sent: April-05-18 8:29 AM
To: Merriman, Catherine B; Hayden, Jazmine; Webster, Corey J; Grace, Michael; Moors-Murphy, Hilary
Cc: Waters, Christa
Subject: Response to NARW in Mar Region April 4-DRAFT.docx

Hi everyone,
Here is an updated version, please use this if you want to provide comments in advance of next week's meeting.

Corey and Mike, please delete yesterday's version and use this one.

Thanks for everyone's comments and help to date!
mar

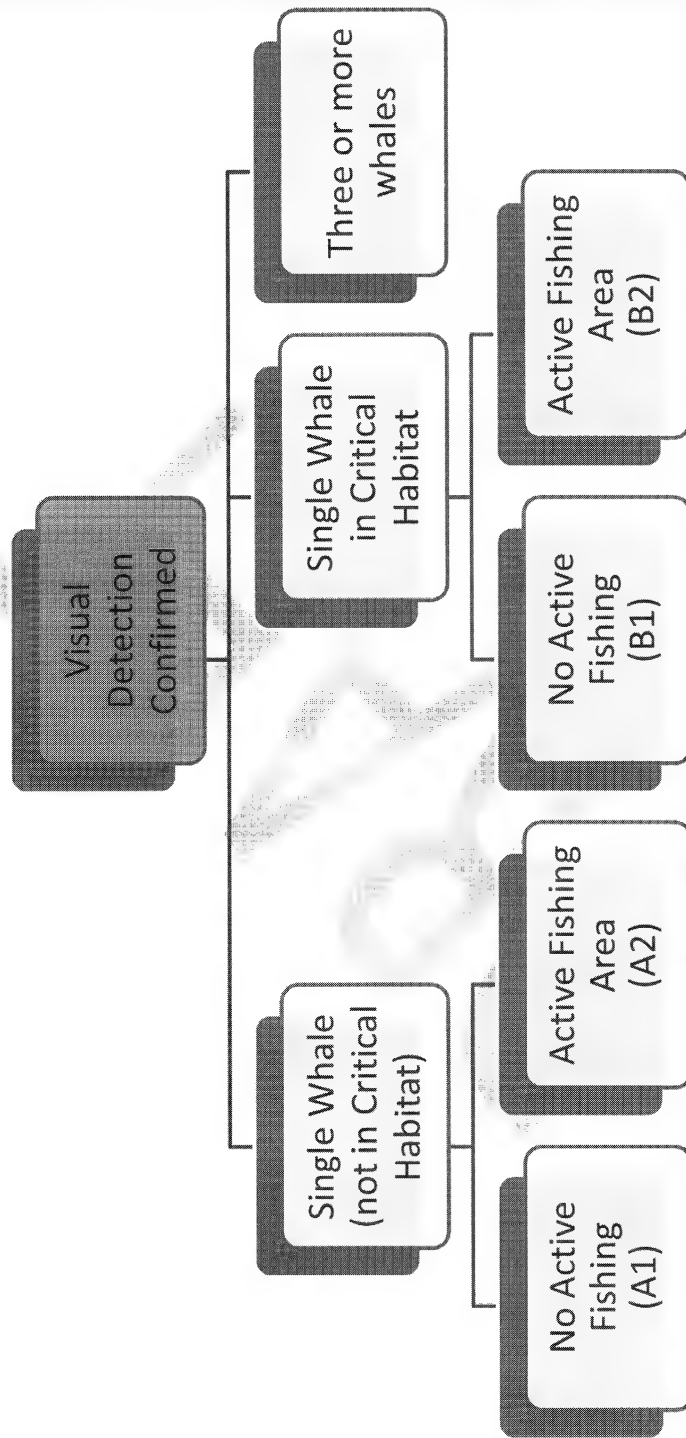
**Maritimes Region Draft Response Protocol:
Confirmed Detection of North Atlantic Right
Whales**

April 2018

Version 3

Decision Tree

Comment [HM1]: What does "Three or more whales" mean? In what size area? NEED to be more specific here!



North Atlantic Right Whale: Maritime Region Response

When DFO Maritimes confirms the presence of North Atlantic Right Whales (NARW) is confirmed in our waters, the above table "Decision Tree" is to be used to determine the appropriate a -response for. Only confirmed sightings will result in a response. Unconfirmed sightings are will be recorded, but will not result in a directed operational response management actions. Unconfirmed sightings will be considered may lead when devising to increased surveillance plans.

1. Confirmation of Reported Sighting

DFO's Science Branch will reviews all reported NARW sightings. These reports are may be received forwarded come from multiple entities a variety of sources and may need to go through a scientific be vetted/vetted process. If WhereWhen a sighting is confirmed as a NARW, relevant information is to be shared via email with the Marine Mammal Response Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca

(902) 221-7269

Information to include:

- Coordinates of whale(s)
- Map of sightings
- Time and date of sightings reported
- Number of whales confirmed
- Who confirmed the sighting information
- Any other relevant/important information

2. Determine if in known Critical Habitat

Step 1: Review of Critical Habitat and Active Fishing Areas

Upon confirmation of a visual detection sighting, Science Branch will provides Resource Management (RM) with plotted coordinates on a map. RM (with assistance from Oceans or C&P where required) will determine whether or not the confirmed sightings are in known Critical Habitat and whether or not they are in active fishing areas. The chart in Appendix A should be referenced for this step.

Step 2: Relay information from review

Marine Mammal Advisor will relay findings to Distribution List. Subject of the email should read:

- Confirmed single NARW sightings in Maritimes: in Critical Habitat; or
- Confirmed single NARW sightings in Maritimes: outside Critical Habitat.
- Confirmed NARW sightings in Maritimes: Three or more whales

Step 3: Proceed to relevant section

Section A: Single NARW outside Critical Habitat

Section B: Single NARW inside Critical Habitat

Section C: Three or more NARW

Comment [HM2]: Might not necessarily be our region who confirms NARW presence.

Comment [HM3]: Agreed – we may not review all NARW sightings. We will also only be able to review incoming opportunistic sightings as resources allow (likely once/day, and not on weekends and holidays – unless RM hires someone to manage the email and phone line on a full time 7 day basis).

Comment [HM4]: Or "...reviewed to determine quality of the sighting and confirm if it is a NARW."

Comment [MS5]: Science is finalizing their procedures for NARW detection and confirmation. Once finalized this might be updated.

Comment [HM6]: This does not correspond to the latest protocols being discussed by Science, RM in headquarters, and others. Current protocol being discussed is:

- Confirmed NARW sightings from planes, including C&P, will be reported to TC SitCen ("Situation Center" - 24/7 data collection and dissemination service) from the plane (i.e., in real-time).
- Sit Cen will distribute reported NARW sightings and a map of sighting(s) as quickly as possible to a distribution list which include regional marine mammal response coordinators.
- Science will not receive the complete sighting information until plane lands and MMO uploads complete data.
- Science will produce a daily map that cumulates the sightings over that period to distribute (the following day).
- Science will also produce a summary map weekly (until WhaleMap is ready, and then summary information can be received by viewing WhaleMap).

Comment [HM7]: If this is the information you need, then you need to ensure that it will be included in the SitCen report.

Comment [MS8]: Or notify to log into Whalemap?

GRACE - Up to science to determine if in critical habitat – not C&P's role. Suggest you clarify C&P input related to active fishing areas.

Comment [HM9]: Does not follow latest discussions (see my comment above). – Sit Cen will provide the more "real-time" data. They will send a map. You should ensure that the NARW CH areas are shown on the map that they will distribute. Science will provide daily and weekly summary maps that could include the CH polygons.

Comment [HM10]: This should be pretty easy if you have the CH polygons included in maps. Not sure why you would need assistance...

Comment [D11]: Will need to call C&P after hours restandby if response required. We will provide numbers

Section A: Single NARW outside Critical Habitat

Determine the response scenario

The following are the two scenarios for consideration when a single whale is confirmed outside Critical Habitat:

1. Single Whale – No Active Fishing
2. Single Whale – Active Fishing Area

Once the scenario is confirmed re: (with information provided in Step 1 (may want to label each section for reference purposes, currently no Step 1)), proceed to the appropriate response.

1. Single Whale – No Active Fishing (NO CLOSURE)

When a NARW is confirmed in an area where there is no active fishing that and it is NOT a known Critical Habitat, the following actions are steps are to be taken:

- a) Marine Mammal Advisor to consult fisheries opening list for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs responsible for the area (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.

Meeting intent:

1. Review Whalemap and confirmed sighting and overlay with active fishing in Maritimes.
2. Discuss options for:
 - i. Enhanced surveillance plan if required;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to critical habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of updates calls for the situation.

Comment [HM12]: I am not sure that Science needs to be involved in all these meetings (we will have lots of other things to do)—we can provide the sightings information via a map, it is up to others to decide on the management action. There is not really a lot we can add other than providing the sighting to you... This comment is applicable throughout.

Comment [HM13]: This would be more inclusive whether it be WhaleMap or any other map you review. This comment is applicable throughout.

Comment [D14]: Grace - This is a area where triggers would be beneficial.

Comment [MS15]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

2. Single Whale — Active Fishing Area (NO CLOSURE)

When a NARW is confirmed in an area where there is active fishing but is NOT a known Critical Habitat area, the following actions steps are to be taken:

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix B*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.

Meeting intent:

1. Review Whalemap and confirmed sighting and overlay with active fishing in Maritimes.
2. Provided recommendations for:
 - i. Enhanced surveillance plan if required;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.

- e) Draft Variation Order with C&P (proactively in the event that a closure is required as a next step. Not to be distributed at this step).
- f) Notice to Fishers is updated with details of pertinent information (DRAFT Notice to Fishers to be prepared). Notice to Fishers issued to inform fishers that a NARW has been detected, and the Department is monitoring the situation, carrying out conducting surveillance and asks requests harvesters to report any sightings of (NARW).

Comment [D16]: Grace same comments as for previous section here and going forward for similar item in action items.

Comment [MS17]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

Comment [MS18]: Discussion: How often should this be done? Continued for 15 days?

Comment [HM19]: To where? Remember, we currently only check our XMARwhalesightings@ email and 1-800 number once/day, and that is the last priority in terms of how we rank incoming data to deal with.

Conservation and Protection

- a) Distribute Action Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a ??h??day period.
- b) Draft Variation Order with RM

Coast Guard

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.

Comment [MS20]: Who works with CCG on this?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Science

No required action

Daily Updates

Following Notice to Shipping and Notice to Fishers being distributed a daily call will be organized by RM with the Distribution List and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with dynamic closure and concerns from C&P
- d) Further Surveillance measures required for the closed areas
- e) Further surveillance of areas surrounding the closed area

Comment [HM21]: Again, I don't think that Science needs to be a part of these daily calls. This comment is applicable throughout.

Comment [HM22]: Any info Science has will be summarized in maps.

Section B: Single NARW inside Critical Habitat

Determine the response scenario

The following are the two scenarios for consideration when a single whale is confirmed inside Critical Habitat:

1. Single Whale – No Active Fishing
2. Single Whale – Active Fishing Area

Once the scenario is confirmed (with information provided in Step 1), proceed to the appropriate response.

Comment [HM23]: ?

1. Single Whale in known Critical Habitat – No Active Fishing (NO CLOSURE)

The following are the responsibilities for each sector:

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix B*-attach) for active fisheries and confirm with Senior Advisors/Managers that there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor will is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts within 24h. Meeting intent:
 - a. Review *Whalemap* information of confirmed sighting and overlay with active fishing in Maritimes.
 - b. Provided recommendations for:
 - i. Enhancing surveillance;
 - ii. Gear tending requirements for adjacent fisheries;
 - iii. Define the area on a grid map (10x10 min grid) (*Appendix C*)
 1. Include a buffer zone around 10x10 grid
 - iv. Determine if upcoming fisheries may need openings need to be delayed
 - v. Draft Notice to Fishers for upcoming fisheries (if required).

Comment [MS24]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

Comment [MS25]: Confirm with Gulf plan when finalized.

Comment [MS26]: Comment from SARMD: determine if whale is transiting/feeding and see if response would change.

Conservation and Protection

- a) Advise RM if area is of concern for possible relation to ongoing or planned fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.
- b) Define role.

Comment [MS27]: Who works with CCG on this?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Science

No required action

2. Single Whale in known Critical Habitat – Active Fishing Area (DYNAMIC AREA CLOSURE)

When a NARW is confirmed sighted in a known Critical Habitat (*Appendix A*), action will be taken to close fisheries will be closed that are occurring and planned openings delayed the opening of other fisheries. A Dynamic Closure will be implemented for a 15 day period after which time it will expire unless there are additional confirmed sightings. (Discussion)

Comment [MS28]: Gulf is proposing 1 NARW would trigger a closure in a foraging area, so the same proposed here but for CH

Comment [HM29]: This doesn't really match up with what is proposed in Gulf – do you require a certain number of surveillance flights to confirm that the whales have left the area?

Comment [MS30]: Will we require 2 flights without sightings as was proposed in the Gulf. This might have changed.

Grace – Suggest it remains closed until varied open.

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix A*-attach) for active fisheries and confirm with Senior Advisors/Managers which fisheries are active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts as soon as possible.
- e) Meeting intent:

- a. Review *Whalemap* information of confirmed sighting and overlay with active fishing in Maritimes.
- b. Provided recommendations for:

- i. Detail list of fisheries affected by closure
- ii. Define the closed area on a grid map (10x10 min grid)(*Appendix C*)
 - 1. Include a buffer zone around 10x10 grid
- iii. Draft Variation Order with C&P for Dynamic Closure
- iv. Notice to Fishers is updated with details of pertinent information (DRAFT Notice to Fishers to be prepared and included in *Appendix D*). Notice to Fishers to inform fishers of the closed area to be closed because of due to the presence of NARW in known Critical Habitat.
 - 1. Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Consideration given if weather conditions are not favorable and Notice to Fishers to be worded to take this into account).
- v. Enhancing surveillance plan developed
- vi. Determine what upcoming fisheries will be impacted by closure and may require delayed opening;
- vii. Draft Notice to Fishers for upcoming fisheries (to have proactively if required).
- viii. Implement gear tending requirements for fisheries in buffer zone;

Comment [MS31]: More urgent than other scenarios

Comment [MS32]: Confirm with Gulf plan when finalized.

Comment [MS33]: Amend based on Gulf plan once finalized

Comment [MS34]: What about if it is more

Comment [D35]: Grace - Need to determine our capacity and triggers.

Conservation and Protection

- a) Distribute Action Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 15 day period.
 - a. Once there have been [2 flights] without sightings at the end of the 15 day period, the fishery can reopen. (confirm) see above comment - Grace
- b) Draft Variation Order with RM

Coast Guard

- a) Contact Transport Canada counterparts and advise of Notice to Fishers

Comment [MS36]: RM needs clarity on what information is shared with CCG and when, and if whalemap is shared with TC/CCG, etc. WHO is the contact for CCG and TC?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals. Upon approval and as the variation order is published, materials are distributed and media contacts are notified.

Science

No required action

Daily Updates

Following the Notice to Fishers being distributed, a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)- consult *Whalemap*
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with Dynamic Closure and concerns from C&P
- d) Further surveillance measures for the closed areas
- e) Further surveillance of areas surrounding the closed area

Comment [D37]: Grace same comments are before.

Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15 day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

Comment [D38]: As before leave closed and vary open???

Section C: Three or more NARW outside Critical Habitat Area

In the event that an aggregation of at least three whales within a XXX nm² area is confirmed, an automatic dynamic closure for the area will be put in place. This may require the closure of active fishing operations and/or a delay of the openings of some other fisheries.

Once the scenario is confirmed from science-based sightings Option B2 will be applied.
(Single Whale in known Critical Habitat – Active Fishing Area (DYNAMIC AREA CLOSURE))

Comment [HM39]: Is this the only trigger? See comment below re: NOAA additional triggers that make sense if you are trying to get at if whales are likely aggregating or transiting through.

Comment [HM40]: What size area???

Additional Considerations

The following questions will need to be discussed with relation to the specifics of the situation. Some of the questions are not likely able to be answered.

- a. What does the Department intend to do with possible duplicate sightings? i.e. 3 whales reported but we can't confirm they are not the same whale? Err on the side of caution?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in which area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types?
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? (72h adequate?)
 - ii. Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, will we consider the NOAA model of 15 day closures? After 15 days the closure could automatically expire if no other NARW are sighted?
- g. Will we remove the closure early if we have confirmation that whales have left the area?

Comment [HM41]: How will you determine this? The NOAA whale density trigger is based on studies that show if density of whales is greater than 0.04 whales/nm², then they are more likely to be aggregating in the area over longer periods rather than just passing through. NOAA also has other triggers (eg. Observed foraging behaviour, Surface Active Group Behaviour, mom and calves present)...

See:
https://www.greatertanitic.fisheries.noaa.gov/shipstrike/news/DMAAs_July_2004.pdf

Comment [Jaz42]: To be fleshed out in workshop.

Comment [HM43]: Any gear with rope will pose a risk.

Comment [Jaz44]: See comment Jaz18.

Comment [Jaz45]: See comment Jaz18.

Comment [Jaz46]: See comment Jaz18.

Comment [HM47]: How will you confirm this??

Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Pamela Emery	(902) 426-7451	Pamela.Emery@dfo-mpo.gc.ca
	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437	Catherine.Merriman@dfo-mpo.gc.ca
Oceans	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

Comment [HM48]: Will need to discuss with Sherry/Simon who should be on this list for Science. This list will receive A LOT of emails, and I do not want to distract folks too much.

Important numbers (not distribution list)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- Marine Mammals and Whales
XMARWhaleSightings@dfo-mpo.gc.ca
1-844-800-8568
[Whale Alert mobile application](#)
- Sea Turtles
Canadian Sea Turtle Network
info@seaturtle.ca
1-888-729-4667

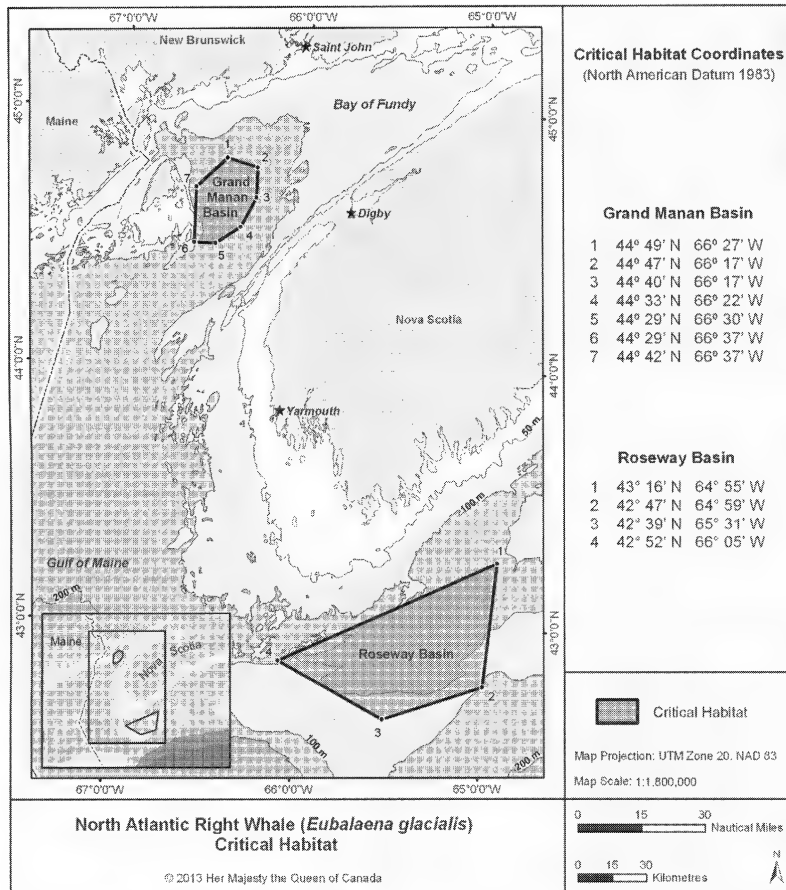
To report dead and distressed marine animals:

- Marine Animal Response Society
marineanimalresponse@gmail.com
1-866-567-6277
VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

Appendix A: North Atlantic Right Whale Critical Habitat



From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters

Appendix B: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4WX5Z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round					Yes
4Vn	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
4T	Atlantic halibut	Longline			now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	May 9	Jul 9				No
LFA 29	Lobster	Traps/pots	63 licences	May 10	Jul 10				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No

[illegible]

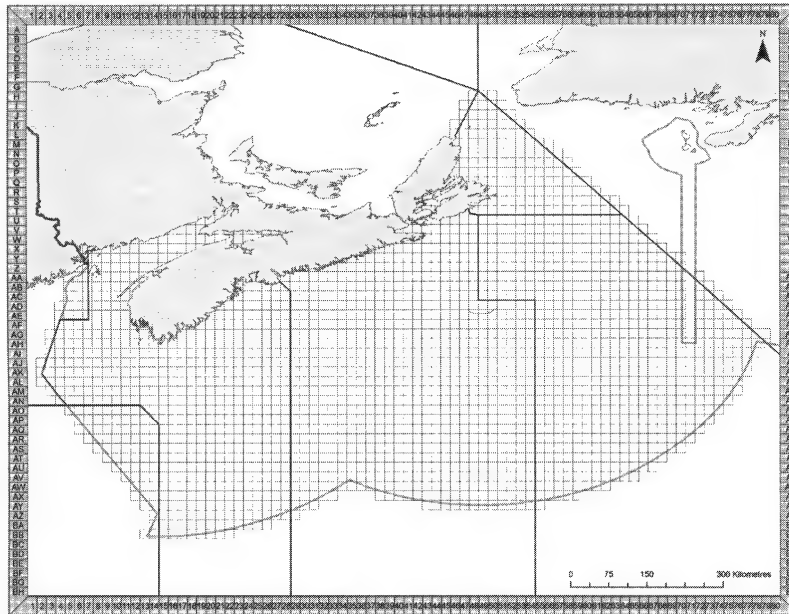
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Mar 01	Dec 31	Yes
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Note: (For 4WVX5 groundfish) VMS is required on all EA and ITQ fleets, as well as licences in the Fixed Gear <45' fleet authorized to use a vessel greater than 34'11", unless they are handline-only.

Green = updated

Blue = active fishery, may require coverage

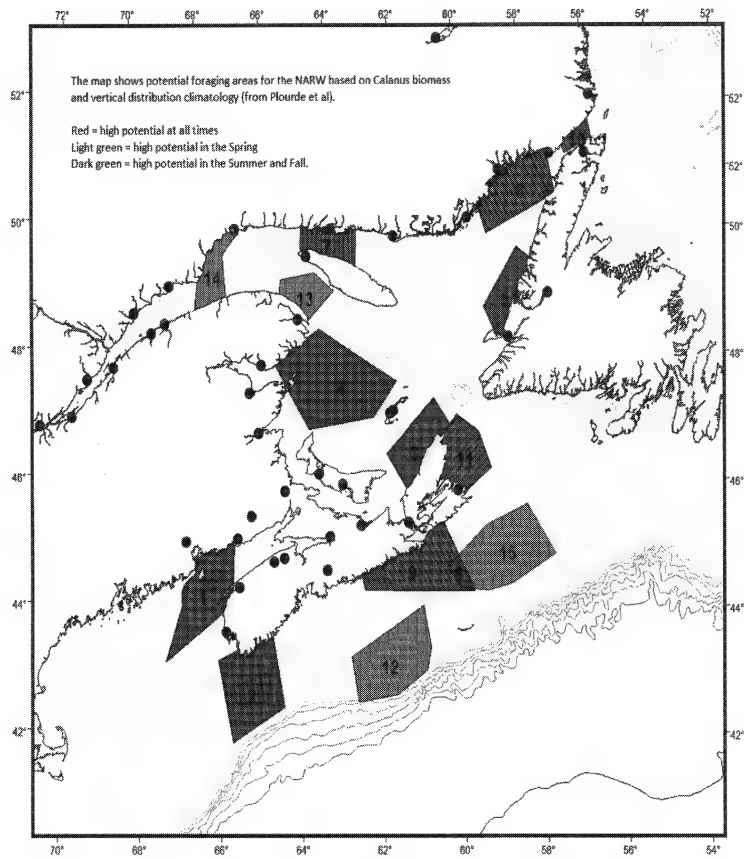
Appendix C: Maritimes Region in 10x10 minute grid



Appendix D: Notice to Fisheries (draft)

No information has been removed or severed from this page

For reference only: Predictive Map of Potential Foraging Areas by Time of Year



Waters, Christa

From: Berthier, Jacinta
Sent: April-05-18 12:08 PM
To: Sweet, Marilyn
Cc: Waters, Christa
Subject: RE: ! foraging areas and snow crab fisheries

Absolutely. Focus on Critical Habitat for our region, and they can use 'areas subject to temporary closures' in the Gulf. I would ask that our regional framework include reference to considerations of other information in making our recommendation / decision to close an area temporarily – i.e. using all available information. We would then balance the fact that some of that information has not been through a CSAS process.

Thanks!

JB

From: Sweet, Marilyn
Sent: Thursday, April 5, 2018 8:38 AM
To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Cc: Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>
Subject: FW: ! foraging areas and snow crab fisheries

FYI, more detail on the use of "foraging area". I am keeping Critical habitat in our plan unless we hear otherwise.

Mar

From: Moors-Murphy, Hilary
Sent: April-05-18 8:34 AM
To: Sweet, Marilyn
Cc: Merriman, Catherine B
Subject: RE: ! foraging areas and snow crab fisheries

Thought you two might be interested in this very relevant conversation about use of the term "foraging area" in the southern Gulf. Pay close attention to Mike's points.

CH in NS waters is a different case - they have been identified as important foraging areas based on decades of research and we can refer to the 2014 Recovery Strategy:

Listed functions of NARW Grand Manan and Roseway Basin CH:

- Adult foraging and feeding
- Calf nursing and rearing
- Resting and socializing

Description of the functions, features and attributes of these CH areas:

"Biophysical functions, features and attributes"

The RPA stated that critical habitat for right whales in Canadian waters must allow successful feeding to ensure that sufficient energy reserves are accumulated to support the energetic cost of basal metabolism, growth, reproduction, and lactation. It has been hypothesized in several studies that variation in right whale condition, reproductive rate, and spatiotemporal distribution may be related to successful foraging (Caswell et al. 1999, Kenney et al. 1995, Kenney 2001). For example, during the 1990s the average calving interval increased from 3 to 6 years (Kraus et al. 2001), and during the same period whales that had usually been sighted in Roseway Basin were seen in the Bay of Fundy (Kenney 2001). A consensus working hypothesis proposed to explain these observations (e.g. Patrician 2005) is that during this period copepod concentrations in Roseway Basin were insufficient to meet right whale energy demands, and thus right whales moved into another predictable habitat nearby – Grand Manan Basin. Grand Manan Basin may have lacked the energy reserves necessary to support the increased number of whales in the Bay, and thus may have played a role in the observed reproductive failure (increased calving intervals and fewer births). This period of extended calving intervals was followed subsequently by five years of relatively higher birth rates, a return to shorter average calving intervals. (Kraus et al. 2005) and an increase in the number of right whales observed in Roseway Basin.

Critical habitat has to provide this level of foraging success for right whales on a predictable, interannual basis. Based on what is known about prey preference of right whales and the distribution of their prey, a fairly robust, science-based description of generic critical habitat for right whales was developed through the RPA, as follows: critical habitat includes areas that possess the environmental, oceanographic and bathymetric conditions that aggregate concentrations of right whale prey, especially stage C5 *Calanus finmarchicus* copepodites, at interannually predictable locations. It is likely that critical habitat in Canadian waters is seasonal in nature. Both right whale abundance and stage C5 *Calanus finmarchicus* concentrations peak during the late summer and early autumn in the Bay of Fundy and on the Scotian Shelf. If in the future evidence was gathered suggesting that an area in Canadian waters supported an activity or behaviour, other than feeding, that is vital to life cycle closure, then the definition of critical habitat could be re-evaluated to determine if expansion of the definition is warranted.

Table 1 summarizes the best available knowledge of the functions, features and attributes for each life-stage of the North Atlantic right whale. Note that not all attributes in Table 1 must be present in order for a feature to be identified as critical habitat."

From: Moors-Murphy, Hilary
Sent: Thursday, April 05, 2018 8:26 AM
To: Burns, Adam; Hammill, Mike; Landry, Jean; Ratelle, Stephanie M; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Elliott, Michael S; Buie, Jennifer
Subject: RE: ! foraging areas and snow crab fisheries

Completely agree with Mike's points below - we cannot defend these areas as foraging areas on a scientific basis. Many knowledge gaps remain around why and how the whales use the southern Gulf and we need to be careful how we communicate these areas.

From: Burns, Adam
Sent: Wednesday, April 04, 2018 5:54 PM
To: Hammill, Mike; Landry, Jean; Ratelle, Stephanie M; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: Re: ! foraging areas and snow crab fisheries

Hit send to quickly. Simply to add that this area has already been defined through our management decision process.

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Burns, Adam
Sent: Wednesday, April 4, 2018 4:51 PM

To: Hammill, Mike; Landry, Jean; Ratelle, Stephanie M; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: Re: ! foraging areas and snow crab fisheries

Let's just call them "Areas subject to the temporary closure protocol in the Southern Gulf".

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Hammill, Mike
Sent: Wednesday, April 4, 2018 4:44 PM
To: Landry, Jean; Ratelle, Stephanie M; Burns, Adam; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: RE: ! foraging areas and snow crab fisheries

We need to clarify-as science we cannot say foraging areas. Even saying potential foraging areas is playing loose with the facts at this point. There has been no peer review of this. We need to be careful if we want to maintain credibility with industry, the public and our peers. This we need to be strict on.

We are much better to return to some reasoning that refers back to our csas advice and identify that based on observations particularly in 2017 (as well as some very limited 'historical' data), area 4 was an area of high use. We think this **might** be food related, but it is **only a hypothesis** at this point and our program in 2018 will begin to address this hypothesis. Animals may have stayed in the area for other reasons as well (e.g. social interactions). So there could be several reasons that the animals were attracted and remained in the area. Based on this csas advice we anticipate that many animals could return to the same area in 2018. Also, based on drift trajectories (again no peer review), it appears that many of the 2017 mortalities may have originated from this area in the gulf. So for now we view it as a sensitive area requiring additional management attention to try to avoid a repeat of what happened in 2017.

This is skating as well, but I hope it is closer to the facts.

From: Landry, Jean
Sent: 4 avril 2018 16:29
To: Ratelle, Stephanie M; Burns, Adam; Hardy, Matthew A (Moncton)
Cc: Gosselin, Jean-Francois; Hammill, Mike; Lawson, Jack; Moors-Murphy, Hilary; Elliott, Michael S; Buie, Jennifer
Subject: TR: ! foraging areas and snow crab fisheries
Importance: High

Thanks for sharing Stephanie,

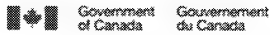
I am CCing Adam here to make sure we are on common grounds before it is shared with fishermen. If this refers to Minister's announcement, my understanding is that the only area at play would be the box no 4 in the attached document as this is the area targeted by potential closures (temporary or permanent). The term ``foraging area or foraging ground`` has been used but seems that there is still confusion. I'm using what I have heard from Adam today.

Adam: please clarify as you see fit.

Jean

Jean Landry
Director , Marine Mammals Science
Fisheries and Oceans Canada / Government of Canada
Jean.Landry@dfo-mpo.gc.ca / Tel: 613-993-0029

Directeur, Science – Mammifères marins
Pêches et Océans Canada / Gouvernement du Canada
Jean.Landry@dfo-mpo.gc.ca / Tél. : 613-993-0029



Canada

De : Ratelle, Stephanie M

Envoyé : 4 avril 2018 15:56

À : Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>; Nadeau, Simon <Simon.Nadeau@dfo-mpo.gc.ca>; Hardy, Matthew A (Moncton) <Matthew.Hardy@dfo-mpo.gc.ca>

Cc : Gosselin, Jean-Francois <Jean-Francois.Gosselin@dfo-mpo.gc.ca>; Hammill, Mike <Mike.Hammill@dfo-mpo.gc.ca>; Lawson, Jack <John.Lawson@dfo-mpo.gc.ca>; Moors-Murphy, Hilary <Hilary.Moors-Murphy@dfo-mpo.gc.ca>; Elliott, Michael S <Michael.Elliott@dfo-mpo.gc.ca>

Objet : ! foraging areas and snow crab fisheries

Importance : Haute

Hi folks,

Our EFM folks (and specifically Sylvie who has the snow crab file in Gulf) has been asked to send maps to the snow crab harvesters to identify the 'foraging zones' as per the Ministers announcement. The attached maps has the softshell snowcrab grids overlapping the Zone 3 & 4 high potential foraging areas. The harvesters want access to that 'data' (or at least know what the potential foraging zones are) but there isn't anything published right? I know Matthew has received some calls on 'where is this published, what do they look like' etc. but as I recall this was JF identifying areas of higher probability of observing NARWs for our surveys (based on Stephane Plourde's work). Polygons were a lot easier to follow than the 'heat maps' Stephane produced. I'm not sure what advice I'm seeking here as the Minister announced these zones as the ultimate protection areas and the public (and especially harvesters) haven't seen them yet. Michael didn't want to go off on our own here to provide the maps, and it's just specifically for Gulf Snow crab right now- not all the others. Approval/advice/thoughts for these polygons (high potential foraging zones) to be 'published' as part of the management of the fisheries?

PS- I've asked Michael to change the legend title to 'High Potential Foraging Zones' (translated: Zone d'alimentation à haut potentiel?! JF help!).

From: Leger, Sylvie

Sent: April-04-18 4:04 PM

To: Elliott, Michael S

Cc: Ratelle, Stephanie M

Subject: RE: foraging areas

Thank you!

Would you be able to translate the legend in the map? I want to send it to fish harvesters.

Legend :

Survey Areas based on foraging suitability / Zones du relevé selon la pertinence des zones d'alimentation ???
Stephanie do you know how to translate?

Spring / Printemps

Spring-Fall / Printemps-automne

Summer-Fall / Été-automne

From: Elliott, Michael S
Sent: 2018-April-04 3:49 PM
To: Leger, Sylvie
Subject: RE: foraging areas

No foraging areas fall within CFA 12E

From: Leger, Sylvie
Sent: April-04-18 2:27 PM
To: Elliott, Michael S <Michael.Elliott@dfo-mpo.gc.ca>
Subject: foraging areas

Mike,

Does one of the foraging area fall within snow crab Area 12E?

Sylvie Léger

Regional Senior Fisheries and Aquaculture Management Officer / Agente principale régionale, Gestion des pêches et de l'aquaculture

Fisheries and Oceans Canada / Pêches et Océans Canada


343, ave. University Ave., P.O. Box / C.P. 5030

Moncton, NB, E1C 9B6

E-mail: Sylvie.Leger@dfo-mpo.gc.ca

Tel. : (506) 851-2278

Fax : (506) 851-7732

 [@DFO Gulf](#), [@MPO Golfe](#)

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: April-06-18 10:40 AM
To: Landry, Jean; Burns, Adam; Valkenier, Mary-Ellen; Daley, Annette; Vézina, Alain; Humphrey, Donald; Vincent, Patrick; Lemire, Maryse; Doucet, Serge; Perry, Jacqueline; Lambert, Robert; Laverdure, Louise; Goetze, Darren; Stewart, Julie; Ellen Burack; tracy.chatman@tc.gc.ca; Gilchrist, Brett
Cc: Butler, Annette; Richard, Tina; Couturier-Dubé, Geneviève; Rossignol, Pauline; Bellfof, Elyse; Pellerin, Patricia
Subject: RE: For Review: RoD ASC for NARW April 4/ Pour examen: CR CDA pour BNAN le 4 avril
Attachments: Draft Record of Discussion - ASC for NARW April 4 2018 (draft 2018-04-05).docx

Thanks very much for these clarifications, Adam and Jean.

I have incorporated your comments into the text. I will accept the track changes and post this version on GCconnex for the information of committee members who did not attend the meeting on April 4th. Further edits are still welcome.

Sheila

From: Landry, Jean
Sent: April-06-18 10:12 AM
To: Burns, Adam; Prall-Dillman, Sheila; Valkenier, Mary-Ellen; Daley, Annette; Vézina, Alain; Humphrey, Donald; Vincent, Patrick; Lemire, Maryse; Doucet, Serge; Perry, Jacqueline; Lambert, Robert; Laverdure, Louise; Goetze, Darren; Stewart, Julie; Ellen Burack; tracy.chatman@tc.gc.ca; Gilchrist, Brett
Cc: Butler, Annette; Richard, Tina; Couturier-Dubé, Geneviève; Rossignol, Pauline; Bellfof, Elyse; Pellerin, Patricia
Subject: RE: For Review: RoD ASC for NARW April 4/ Pour examen: CR CDA pour BNAN le 4 avril

Few comments using Adam's version.

Jean Landry

Director , Marine Mammals Science
Fisheries and Oceans Canada / Government of Canada
Jean.Landry@dfo-mpo.gc.ca / Tel: 613-993-0029

Directeur, Science – Mammifères marins
Pêches et Océans Canada / Gouvernement du Canada
Jean.Landry@dfo-mpo.gc.ca / Tél. : 613-993-0029



Government
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du Canada

Canada

De : Burns, Adam

Envoyé : 6 avril 2018 08:49

À : Prall-Dillman, Sheila <Sheila.Prall-Dillman@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>; Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>; Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Perry, Jacqueline <Jacqueline.Perry@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Laverdure, Louise <Louise.Laverdure@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>; Goetze, Darren <Darren.Goetze@dfo-mpo.gc.ca>

mpo.gc.ca>; Stewart, Julie <Julie.Stewart@dfo-mpo.gc.ca>; Ellen Burack <ellen.burack@tc.gc.ca>; tracy.chatman@tc.gc.ca; Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>

Cc : Butler, Annette <Annette.Butler@dfo-mpo.gc.ca>; Richard, Tina <Tina.Richard@dfo-mpo.gc.ca>; Couturier-Dubé, Geneviève <Genevieve.Couturier-Dube@dfo-mpo.gc.ca>; Rossignol, Pauline <Pauline.Rossignol@dfo-mpo.gc.ca>; Bellfooy, Elyse <Elyse.Bellfooy@dfo-mpo.gc.ca>; Pellerin, Patricia <Patricia.Pellerin@dfo-mpo.gc.ca>

Objet : RE: For Review: RoD ASC for NARW April 4/ Pour examen: CR CDA pour BNAN le 4 avril

Thanks Sheila.

Attached you will find a few edits.

Adam

From: Prall-Dillman, Sheila

Sent: April 6, 2018 7:47 AM

To: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>; Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>; Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Perry, Jacqueline <Jacqueline.Perry@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Laverdure, Louise <Louise.Laverdure@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>; Goetze, Darren <Darren.Goetze@dfo-mpo.gc.ca>; Stewart, Julie <Julie.Stewart@dfo-mpo.gc.ca>; Ellen Burack <ellen.burack@tc.gc.ca>; tracy.chatman@tc.gc.ca

Cc: Butler, Annette <Annette.Butler@dfo-mpo.gc.ca>; Richard, Tina <Tina.Richard@dfo-mpo.gc.ca>; Couturier-Dubé, Geneviève <Genevieve.Couturier-Dube@dfo-mpo.gc.ca>; Rossignol, Pauline <Pauline.Rossignol@dfo-mpo.gc.ca>; Bellfooy, Elyse <Elyse.Bellfooy@dfo-mpo.gc.ca>; Pellerin, Patricia <Patricia.Pellerin@dfo-mpo.gc.ca>

Subject: For Review: RoD ASC for NARW April 4/ Pour examen: CR CDA pour BNAN le 4 avril

Good morning,

For your review, attached is the draft Record of Discussion from the special meeting on governance of the Atlantic Steering Committee for North Atlantic Right Whale on April 4, 2018.

Please confirm if this accurately reflects key points in the proposed approaches and issues that require further discussion. Thank you.

Pour votre examen, vous trouverez ci-joint le compte rendu des discussions de la réunion spéciale sur gouvernance du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 4 avril 2018.

Veuillez confirmer si ceci reflète précisément des points clés dans les approches proposées et les questions qui exigent la nouvelle discussion. Merci.

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics

Fisheries and Oceans Canada | Government of Canada

Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques

Pêches et Océans Canada | Gouvernement du Canada

Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

No information removed



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on April 4, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Mary-Ellen Valkenier	Regional Director General (Chair)
Annette Daley	A/Regional Director, Fisheries Management
Alain Vezina	Regional Director, Science
Donald Humphrey	Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Quebec Region	
Patrick Vincent	Regional Director General
Maryse Lemire	Regional Director, Fisheries Management
DFO Gulf Region	
Serge Doucet	Regional Director General
DFO Newfoundland and Labrador Region	
Jacqueline Perry	Regional Director General
Robert Lambert	A/Regional Director, Fisheries Management
DFO National Headquarters	
Adam Burns	Director General, Fisheries Resource Management (FRM)
Louise Laverdure	A/Director General, Ecosystem Science
Jean Landry	Director, Fish Population Science
Darren Goetze	Director General, Conservation & Protection (C&P)
Julie Stewart	Director, Integrated Species at Risk
Transport Canada	
Ellen Burack	Director General, Environmental Policy
Tracey Chatman	Marine Safety Policy Advisor

	TOPIC	LEAD
1.	Governance	All
This was a special meeting to discuss governance, in other words, to ensure that processes are in place for clear communication and coordinated action during the season that whales will be in Canadian waters.		



Jean Landry highlighted key points and questions related to the Proposed NARW Sightings Data Workflow; Tracy Chatman described Transport Canada's offer to have reports of NARW sightings distributed through their Situation Centre; and Adam Burns outlined a proposed approach for decision-making to implement fisheries management measures. These processes are still evolving as discussions are ongoing.

While there was support among the Regional Director Generals (RDGs) for the proposed approaches, it was noted that there are a number of loose ends. The RDGs asked that the details of real time reporting through the Situation Centre be confirmed and that the approach for decision-making in fisheries management be further refined. This includes considering how it links to existing processes within the regions. Comments will be provided to Adam Burns, and the approach will be confirmed at the Atlantic Steering Committee meeting on April 11, 2018.

Some key points in the proposed approach, and issues that require further clarification, include the following:

- Transport Canada's Situation Centre is an information coordination body that operates 24 hours a day and 7 days per week. It can receive reports of whale sightings from satellite phones on the survey planes. It can distribute a notification with the sightings data to identified distribution lists in whatever format is required.
- To use this system, the data required from observers, the format required from the Situation Centre (e.g., coordinates only or coordinates plotted on maps) and distribution lists will need to be established. Confirmation is also required on who will organize and be responsible for this system. Further discussion is also required on whether sighting reports will be sent to the Situation Centre from all survey flights or only those in the area of the Gulf of St. Lawrence that is subject to the temporary closure protocol.
- All reports of sightings from survey flights with Science, Conservation & Protection (C&P) and Transport Canada will also be sent to DFO Science in Maritimes Region. Maritimes and Gulf Regions will work together to produce daily and weekly maps of observations.
- Science can produce daily sightings maps by 11 a.m., which will include sightings up to the previous day. The daily maps will be produced throughout the season. These maps would be stored in a shared folder that staff could access (without an email distribution). To avoid duplication, Science may not produce daily maps if the Situation Centre is plotting the sightings on maps. The daily maps-weekly maps would only be produced until WhaleMap is available. Once WhaleMap is finalized, around the end of May, employees and the public will be able to access weekly sightings data and maps online. Formal extractions of maps can be done on a weekly basis to inform senior management.
- A very large number of opportunistic sightings are expected to be reported from the public. Science does not have the capacity to validate these reports. They can be prioritized, e.g., to focus on those from trusted sources and those with good quality photos, but there will still be a workload that requires further discussion. If other sectors can contribute resources, Science can train staff to validate opportunistic sightings.
- Direction from the Assistant Deputy Minister responsible for whales is that DFO must respond as quickly as reasonable to minimize risks to whales and must have protocols in place so the Department (rather than the media) quickly informs the Deputy Minister and Minister about any incidents.
- The Minister has approved decision rules for automatic temporary closures of a defined area foraging ground within the Gulf of St. Lawrence snow crab fishery. If a NARW is sighted within that area, the Gulf Region will take immediate action to close fixed-gear fisheries in the relevant quadrant upon receiving a report from the Situation Centre. Adam Burns will provide a distribution list so that national headquarters will also be informed and the Assistant Deputy Minister can brief the Deputy Minister. Communications, C&P and Science will also be in the distribution list.
- For all other areas and other fisheries, other than notification to mariners, there are not any approved the Minister has not approved any decision rules for fishery closures for NARW (although risk mitigation

Comment [LJ1]: I don't recall this part. My understanding is that daily maps will have to be sent to a distribution list.

Comment [BA2]: It is my understanding that the situation centre will be providing a map only with the specific NARW sighting within the areas in the Gulf that are subject to the temporary closure protocol. The situation centre will not be receiving all sightings reports. Thus science in Mar and Gulf will be producing a daily map throughout the season.

Comment [LJ3]: Agree with first part of Adam's point i.e. Science is expected to provide daily maps over the season. However, at the RDG call, we have not landed on a conclusion about reporting only the whales seen in the specific box in the Gulf. Some regions indicated that they would like all sightings reported. Also scientists are concerned by the need for MMOs to loose time in having to figure if a given observation should be flagged or not to SitCen. Possibility that we flag all sightings to SitCen as a starting point. Final precision: once whalemapp will be available, people will be able to access it when they want so the concept of a weekly map will be obsolete. However, we might want to have formal extraction of a weekly map to inform senior management on a weekly basis?? We should not forget that the Public will also have access to this info.



measures are being implemented) so sightings will need to be assessed on a case-by-case basis. It is proposed that sighting reports be sent to various people, including national headquarters to brief the Minister's office, and to a new working group. Fisheries Resource Management could establish the group. Its membership can be discussed, but it could include the Marine Mammal Coordinators, Science and the Species at Risk program. It would meet daily while there is active fishing to review sightings maps and to provide advice to the relevant Regional Director on whether or not fisheries management action is required.

- If fisheries management action is required, the working group would brief management as soon as possible. A whale alert email has been prepared that Adam Burns will share. The email would alert senior directors in Ottawa and the sectors including Science, Communications and C&P. The Regional Directors would then consult with each other and Adam Burns, brief senior directors, and seek the Minister's approval if necessary.
- It was emphasized that it is important to have a network of experts who receive information in a timely way, share approaches across regions and provide analysis and sound advice to support the Regional Directors and the Regional Directors General in making appropriate decisions.
- The workload and alternates for the group/network members, particularly the Marine Mammal Coordinators, will need to be discussed to ensure that timely action can be taken. Whales will be in Canadian waters for several months, and incidents may occur on weekends and while key staff are on leave.
- There will also be a protocol where third parties who are assisting in marine mammal response from a DFO platform will require the department's "green light" approval before communicating publically about the incident. This is to ensure that the focus is on a rapid response, and that internal briefings occur beforehand.

2. Next Meeting

The next bi-weekly meeting of the Atlantic Steering Committee is scheduled for April 11, 2018.

Merriman, Catherine B

From: Sweet, Marilyn
Sent: April-10-18 11:28 AM
To: Soomai, Suzuette
Subject: FW: Planning for NARW table top - scenarios

Mar

From: Humphrey, Donald
Sent: April-09-18 11:47 PM
To: Sweet, Marilyn; Daley, Annette; Berthier, Jacinta; Niven, Sherry; Moors-Murphy, Hilary
Subject: RE: Planning for NARW table top - scenarios

Hi Marilyn, I am away this week so am just sending some initial thoughts for consideration in advance of the meeting.

Donald



Response to
NARW in Mar Re...

From: Sweet, Marilyn
Sent: April-09-18 2:47 PM
To: Daley, Annette; Humphrey, Donald; Berthier, Jacinta; Niven, Sherry; Moors-Murphy, Hilary
Subject: RE: Planning for NARW table top - scenarios

Hi everyone,
Attached is a draft of the response plan. I have received comments from most groups so this should help us walk through scenarios.
I will bring copies for the meeting this afternoon.

<< File: Response to NARW in Mar Region April 9 draft.docx >>

Mar

-----Original Appointment-----

From: Daley, Annette
Sent: April-04-18 6:30 PM
To: Daley, Annette; Humphrey, Donald; Berthier, Jacinta; Niven, Sherry; Moors-Murphy, Hilary; Sweet, Marilyn
Subject: Planning for NARW table top - scenarios

When: April-09-18 3:30 PM-4:00 PM (UTC-04:00) Atlantic Time (Canada).

Where: DFO CONF Dartmouth-1ChallengerDr-PL6-Gully CONF MPO

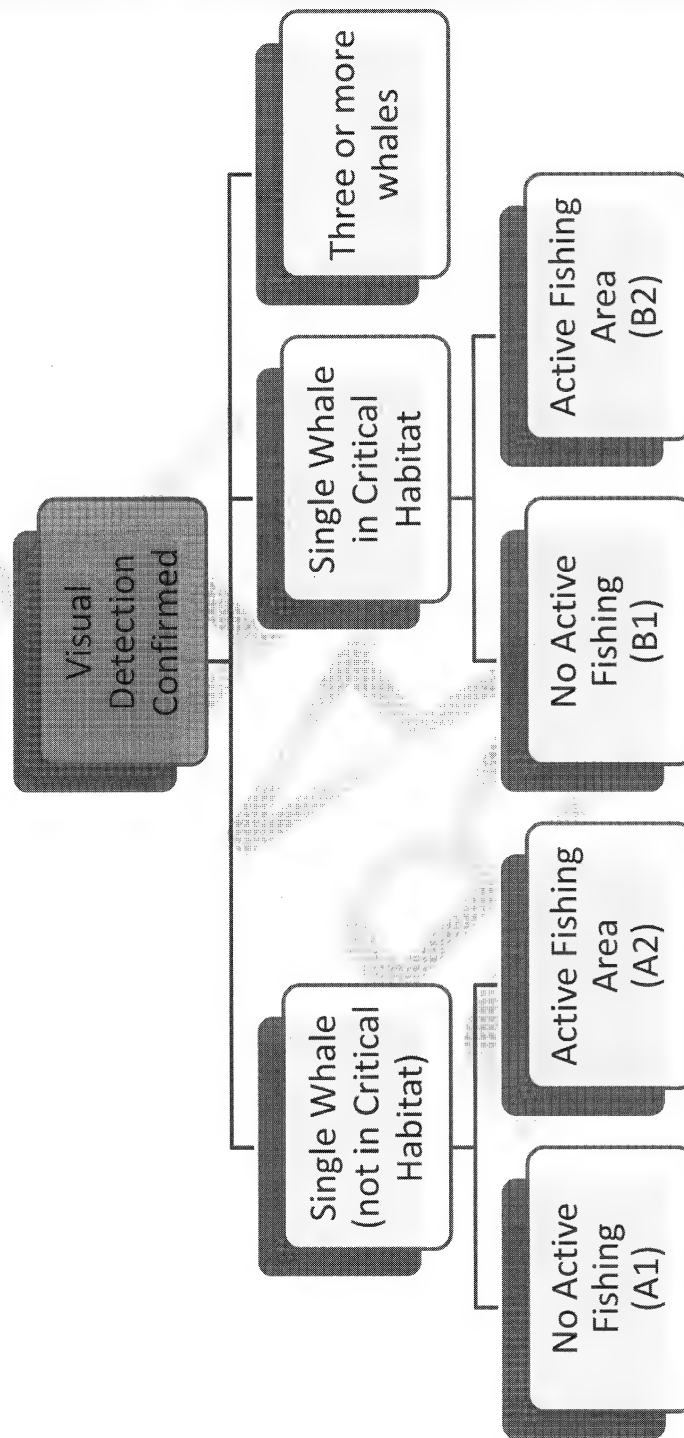
Wasn't sure who to invite (noting Sherry is away this week) – pls forward to anyone who you think should attend.

**Maritimes Region Draft Response Protocol:
Confirmed Detection of North Atlantic Right
Whales**

April 2018

Version 3

Decision Tree



North Atlantic Right Whale: Maritime Region Response

When DFO Maritimes confirms the presence of North Atlantic Right Whales (NARW) in our waters, the "Decision Tree" is used to determine a response. Unconfirmed sightings are recorded, but will not result in a directed operational response. Unconfirmed sightings will be considered when developing surveillance plans.

Step 1. Confirmation of Reported Sighting

DFO's Science Branch reviews reported NARW sightings. Reports are forwarded from multiple entities and need to be vetted. Where a sighting is confirmed, relevant information is shared via email or phone with the Marine Mammal Response Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca / (902) 221-7269

Information to include:

- a) Coordinates of whale(s)
- b) Map of sightings
- c) Time and date of sightings reported
- d) Source of the information
- e) Contact information for the individual(s) who reported the sighting
- f) Number of whales confirmed
- g) Who confirmed the sighting information
- h) Any other relevant/important information
- i) Photos (if applicable)

Step 2. Determine if in known Critical Habitat

Step 1: Review of Critical Habitat and Active Fishing Areas

Upon confirmation of a sighting, Science Branch provides Resource Management (RM) with plotted coordinates on a map. RM (with assistance from Oceans or C&P where required) will determine whether or not the confirmed sightings are in **known Critical Habitat** and whether or not they are in **active fishing areas**. The chart in *Appendix A* should be referenced for this step.

Step 2: Relay information from review

Marine Mammal Advisor will relay findings to *Distribution List*. Subject of the email should read:

- a) Confirmed single NARW sightings in Maritimes: in Critical Habitat, or
- b) Confirmed single NARW sightings in Maritimes: outside Critical Habitat.
- c) Confirmed NARW sightings in Maritimes: Three or more whales

Step 3: Proceed to relevant response section

Section A: Single NARW outside Critical Habitat

Section B: Single NARW inside Critical Habitat

Section C: Three or more NARW

Comment [DH1]: Do you mean confirms or is informed of the presence? How do we intend to confirm? Will it require confirmation by plane, C&P boat, etc? What trusted sources might we accept – e.g., whale watching/rescue groups? How will acoustic detections be treated? Might be good to identify potential sources and process for confirmation. For example, maybe all sources with the exception of those from planes will go through regional working group for analysis and recommendation.

Comment [DH2]: Will Science have the capacity to review reports or will be occupied on surveillance planes?

Comment [DH3]: Isn't this being undertaken by a multi-sectoral working group as part of zonal approach?

Comment [DH4]: Unless there are photos what are they reviewing it for?

Comment [MS5]: Science is finalizing their procedures for NARW detection and confirmation. Once finalized this might be updated.

Comment [DH6]: You could set up a form to be completed by the individual who will be accepting this information on behalf of the dept. Ensures all information is collected by phone or followed up on if received from another source such as email.

Comment [DH7]: For Science to include in email to the MMC?

Comment [DH8]: We may have capacity in EM to map coordinates as well if there are pressures in Science. We have various simple and advanced software to perform this function.

Comment [MS9]: Or notify to log into Whalemap?

GRACE - Up to science to determine if in critical habitat – not C&P's role. Suggest you clarify C&P input related to active fishing areas.

Comment [D10]: Will need to call C&P after hours re: standby if response required. We will provide numbers

Comment [DH11]: Why the separation of CH in the decision tree? Are we assuming the single whale is likely foraging? Consideration of other potential foraging habitats?

Comment [DH12]: Any consideration to mother/calf pair?

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Section A: Single NARW outside Critical Habitat

Determine the response scenario

The following are the two scenarios for consideration when a single whale is confirmed outside Critical Habitat:

1. Single Whale – No Active Fishing
2. Single Whale – Active Fishing Area

1. Single Whale – No Active Fishing (NO CLOSURE)

When a NARW is confirmed in an area where there is no active fishing that is NOT a known Critical Habitat, the following actions are taken:

- a) Marine Mammal Advisor to consult fisheries opening list for active fisheries and confirm with Senior Advisors/Managers that there are NO fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs responsible for the area (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 1. Review *Whalemap* and confirmed sighting and overlay with active fishing in Maritimes.
 2. Discuss options for:
 - i. Enhanced surveillance plan if required.
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to critical habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of updates.

Comment [DH13]: This level of response may not be necessary based on the risk. Straw dog exercise might help inform these steps.

Comment [D14]: Grace - This is a area where triggers would be beneficial.

Comment [MS15]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

2. Single Whale – Active Fishing Area (NO CLOSURE)

When a NARW is confirmed in an area where there is active fishing but is NOT a known Critical Habitat, the following actions are taken:

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix B*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.
Meeting intent:
 1. Review *Whalemap* and confirmed sighting and overlay with active fishing in Maritimes.
 2. Provided recommendations for:
 - i. Enhanced surveillance plan if required.
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.
- e) Draft Variation Order with C&P (proactively in the event that a closure is required as a next step. Not to be distributed at this step).
- f) Notice to Fishers is updated with details of pertinent information (DRAFT Notice to Fishers to be prepared). Notice to Fishers issued that a NARW has been detected, the Department is monitoring, conducting surveillance and requests harvesters to report sightings of NARW).

Comment [D16]: Grace same comments as for previous section here and going forward for similar item in action items.

Comment [MS17]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

Comment [MS18]: Discussion: How often should this be done? Continued for 15 days?

Conservation and Protection

- a) Action Notice to Fishers via Marine Broadcast. Notice is to be repeated for a ??h/??day period.
- b) Draft Variation Order with RM

Coast Guard

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.

Comment [MS19]: Who works with CCG on this?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Science

No required action

Daily Updates

Following Notice to Shipping and Notice to Fishers a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with dynamic closure and concerns from C&P
- d) Surveillance measures required

Comment [DH20]: What are the parameter associate with a closure?

Section B: Single NARW inside Critical Habitat

Determine the response scenario

Single whale confirmed inside Critical Habitat:

1. Single Whale – No Active Fishing
2. Single Whale – Active Fishing Area

1. Single Whale in known Critical Habitat – No Active Fishing (NO CLOSURE)

The following are the responsibilities for each sector:

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix B*-attach) for active fisheries and confirm with Senior Advisors/Managers there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor will relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts within 24h. Meeting intent:
 - a. Review *Whalemap* information of confirmed sighting and overlay with active fishing in Maritimes.
 - b. Provided recommendations for:
 - i. Enhancing surveillance;
 - ii. Gear tending requirements for adjacent fisheries;
 - iii. Define the area on a grid map (10x10 min grid) (*Appendix C*)
 1. Include a buffer zone around 10x10 grid
 - iv. Determine if upcoming fisheries openings need to be delayed
 - v. Draft Notice to Fishers for upcoming fisheries (if required).

Comment [MS21]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

Comment [MS22]: Confirm with Gulf plan when finalized.

Comment [MS23]: Comment from SARMD: determine if whale is transiting/feeding and see if response would change.

Conservation and Protection

- a) Advise RM if area is of concern for ongoing or planned fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.
- b) Define role.

Comment [MS24]: Who works with CCG on this?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Science

No required action

2. Single Whale in known Critical Habitat – Active Fishing Area (DYNAMIC AREA CLOSURE)

When a NARW is confirmed in a known Critical Habitat (*Appendix A*), fisheries will be closed and planned openings delayed. A Dynamic Closure will be implemented for a 15 day period after which time it will expire unless there are additional confirmed sightings. (*Discussion*)

Comment [MS25]: Gulf is proposing 1 NARW would trigger a closure in a foraging area, so the same proposed here but for CH

Comment [MS26]: Will we require 2 flights without sightings as was proposed in the Gulf. This might have changed.

Grace—Suggest it remains closed until varied open.

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix A*-attach) for active fisheries and confirm with Senior Advisors/Managers which fisheries are active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).

- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts as soon as possible.

Comment [MS27]: More urgent than other scenarios

e) Meeting intent:

- a. Review *Whalemap* information of confirmed sighting and overlay with active fishing in Maritimes.
- b. Provided recommendations for:
 - i. Detail list of fisheries affected by closure
 - ii. Define the closed area on a grid map (10x10 min grid)(Appendix C)
 1. Include a buffer zone around 10x10 grid
 - iii. Draft Variation Order with C&P for Dynamic Closure
 - iv. Notice to Fishers is updated with details of pertinent information (DRAFT Notice to Fishers to be prepared and included in *Appendix D*). Notice to Fishers of the closed area due to the presence of NARW in known Critical Habitat.
 1. Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Consideration given if weather conditions are not favorable and Notice to Fishers to be worded to take this into account).
 - v. Enhancing surveillance plan developed
 - vi. Determine what upcoming fisheries will be impacted by closure and may require delayed opening;
 - vii. Draft Notice to Fishers for upcoming fisheries (to have proactively if required).
 - viii. Implement gear tending requirements for fisheries in buffer zone;

Comment [MS28]: Confirm with Gulf plan when finalized.

Comment [MS29]: Amend based on Gulf plan once finalized

Comment [MS30]: What about if it is more

Comment [D31]: Grace - Need to determine our capacity and triggers.

Conservation and Protection

- a) Action Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 15 day period.
 - a. Once there have been [2 flights] without sightings at the end of the 15 day period, the fishery can reopen. (confirm see above comment - Grace)
- b) Draft Variation Order with RM

Coast Guard

- a) Contact Transport Canada counterparts and advise of Notice to Fishers

Comment [MS32]: RM needs clarity on what information is shared with CCG and when, and if whalemap is shared with TC/CCG, etc. WHO is the contact for CCG and TC?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals. Upon approval and as the variation order is published, materials are distributed and media contacts are notified.

Science

No required action

Daily Updates

Following the Notice to Fishers being distributed, a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)- consult *Whalemap*
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with Dynamic Closure and concerns from C&P
- d) Further surveillance measures for the closed areas
- e) Further surveillance of areas surrounding the closed area

Comment [D33]: Grace same comments are before.

Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15 day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

Comment [D34]: As before leave closed and vary open???

Section C: Three or more NARW outside Critical Habitat Area

In the event that an aggregation is confirmed, an automatic dynamic closure for the area will be put in place. This may require the closure of active fishing operations and a delay of openings of other fisheries.

Once confirmed Option B2 will be applied. (Single Whale in known Critical Habitat – Active Fishing Area [DYNAMIC AREA CLOSURE])

Additional Considerations

The following questions will need to be discussed with relation to the specifics of the situation. Some of the questions are not likely able to be answered.

- a. What does the Department intend to do with possible duplicate sightings? i.e. 3 whales reported but we can't confirm they are not the same whale? Err on the side of caution?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in which area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types?
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? (72h adequate?)
 - ii. Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, will we consider the NOAA model of 15 day closures? After 15 days the closure could automatically expire if no other NARW are sighted?
- g. Will we remove the closure early if we have confirmation that whales have left the area?

Comment [Jaz35]: To be fleshed out in workshop.

Comment [Jaz36]: See comment Jaz18.

Comment [Jaz37]: See comment Jaz18.

Comment [Jaz38]: See comment Jaz18.

Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Pamela Emery	(902) 426-7451	Pamela.Emery@dfo-mpo.gc.ca
	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437	Catherine.Merriman@dfo-mpo.gc.ca
Oceans	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

Important numbers (not distribution list)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- Marine Mammals and Whales
XMARWhaleSightings@dfo-mpo.gc.ca
1-844-800-8568
[Whale Alert mobile application](#)
- Sea Turtles
Canadian Sea Turtle Network
info@seaturtle.ca
1-888-729-4667

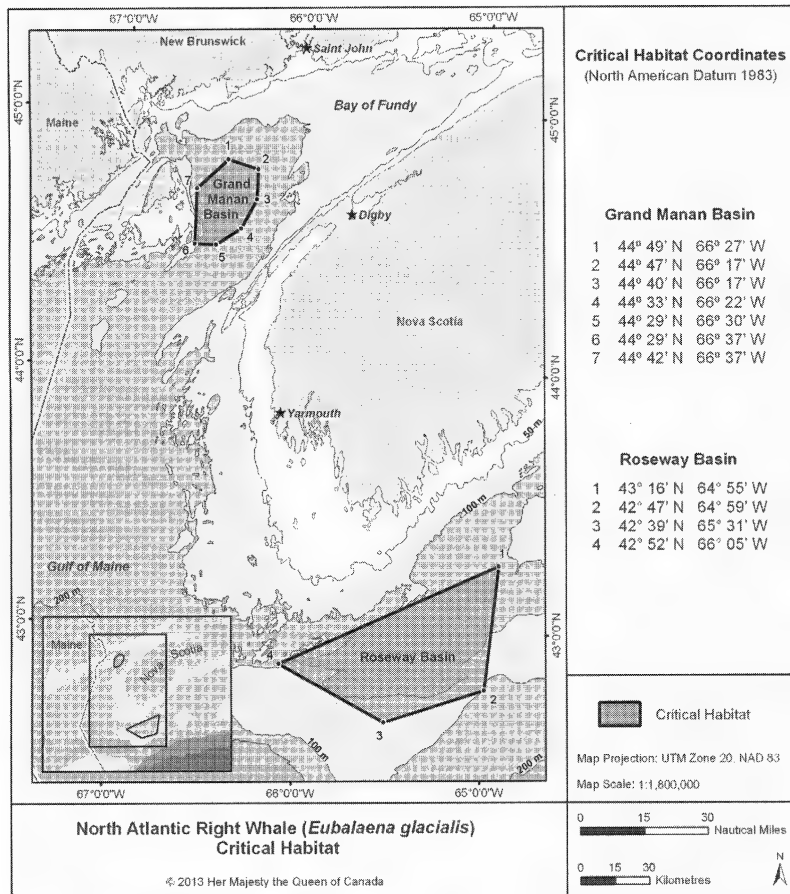
To report dead and distressed marine animals:

- Marine Animal Response Society
marineanimalresponse@gmail.com
1-866-567-6277
VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

Appendix A: North Atlantic Right Whale Critical Habitat



From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters

Appendix B: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4WX5Z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1			*	Yes
4X5	Groundfish	Longline		Year-round					Yes
4Vn	Atlantic halibut	Longline		Year-round	now				No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	May 9	Jul 9				No
LFA 29	Lobster	Traps/pots	63 licences	May 10	Jul 10				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No

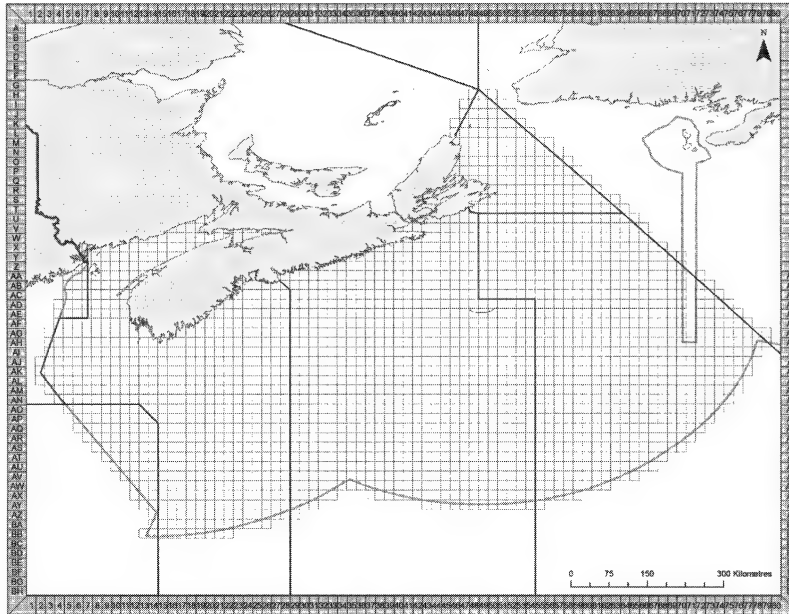
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Mar 01	Dec 31	Yes
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Note: (For 4WX5 groundfish) VMS is required on all EA and ITQ fleets, as well as licences in the Fixed Gear <45' fleet authorized to use a vessel greater than 34'11", unless they are handline-only.

Green = updated

Blue = active fishery, may require coverage

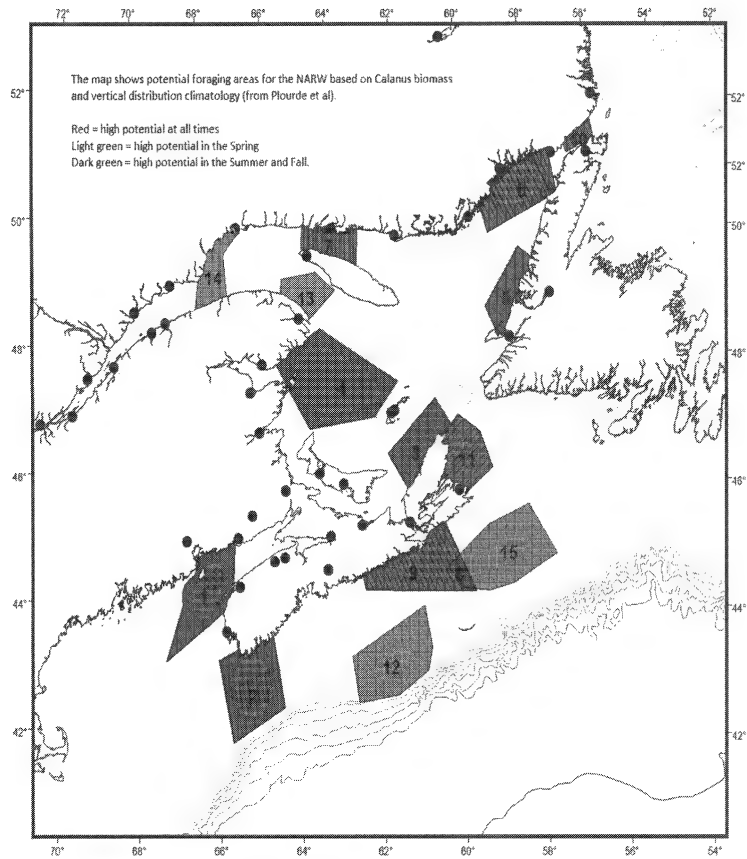
Appendix C: Maritimes Region in 10x10 minute grid



Appendix D: Notice to Fisheries (draft)

No information has been removed or severed from this page

For reference only: Predictive Map of Potential Foraging Areas by Time of Year



MacLellan, Elizabeth

From: Daley, Annette
Sent: April-11-18 12:32 PM
To: Prall-Dillman, Sheila
Subject: RE: For Review: RoD ASC for NARW Mar 29 / Pour examen: CR CDA pour BNAN 29 mars
Attachments: Draft Record of Discussion - ASC for NARW March 29 2018 (comments 2018-04-11).docx

Sheila, apologies for the delay. It is just this paragraph I had comments on – in tracked changes in the attached:

FRM is also working with the MMCs to ensure operational readiness. The MMR program will develop east and west zones (hubs) and increased national capacity that will come online through the year. In the meantime, a draft decision tree for MMR has been proposed. It focuses on the MMC's coordination role. The Regional Directors are the decision points and they are responsible for briefing up to the National Whales Steering Committee and to Adam Burns, who will ensure communication across the regions. The draft decision tree will be discussed next week at the National Whales Steering Committee.

Annette

From: Prall-Dillman, Sheila
Sent: Tuesday, April 3, 2018 3:05 PM
To: Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Ellen Burack <ellen.burack@tc.gc.ca>; Gaudet, Julien D <Julien.Gaudet@dfo-mpo.gc.ca>; Goetze, Darren <Darren.Goetze@dfo-mpo.gc.ca>; Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>; King, Rhea L <Rhea.King@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>; Laverdure, Louise <Louise.Laverdure@dfo-mpo.gc.ca>; Paul Scott <paul.scott@tc.gc.ca>; Perry, Jacqueline <Jacqueline.Perry@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>; Vincent, Patrick <Patrick.Vincent@dfo-mpo.gc.ca>; Stewart, Julie <Julie.Stewart@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Bouchard, Nicole <Nicole.Bouchard@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Dwyer, Judy <Judy.Dwyer@dfo-mpo.gc.ca>; Nesseth, Megan <Megan.Nesseth@dfo-mpo.gc.ca>; Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>
Cc: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Rossignol, Pauline <Pauline.Rossignol@dfo-mpo.gc.ca>; Neary, Lynn <Lynn.Neary@dfo-mpo.gc.ca>; Hébert, Linda M <Linda.Hebert@dfo-mpo.gc.ca>; Bellfo, Elyse <Elyse.Bellfo@dfo-mpo.gc.ca>; Couturier-Dubé, Geneviève <Genevieve.Couturier-Dube@dfo-mpo.gc.ca>; Bois, Lucie <Lucie.Bois@dfo-mpo.gc.ca>; Richard, Tina <Tina.Richard@dfo-mpo.gc.ca>; Snow, Anne E <Anne.Snow@dfo-mpo.gc.ca>; Butler, Annette <Annette.Butler@dfo-mpo.gc.ca>
Subject: For Review: RoD ASC for NARW Mar 29 / Pour examen: CR CDA pour BNAN 29 mars

(La version française suit)

Good afternoon,

For your review, attached is the draft Record of Discussion from the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on March 29, 2018.

To assist with the discussion on governance at the special meeting tomorrow, the draft record attempts to capture some points of agreement and topics for further discussion (item 5).

The draft is posted to GCconnex. Feel free to post a version with your track changes or to email your edits to me. Thank you.

Pour votre examen, vous trouverez ci-joint le compte rendu des discussions de la réunion du Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord le 29 mars 2018.

Pour aider la discussion sur la gouvernance à la réunion spéciale demain, ce projet du compte rendu essaye de décrire quelques points d'accord et des sujets pour la nouvelle discussion (l'article 5).

Le compte rendu est affiché à GCconnex. N'hésitez pas à afficher une version avec vos changements en mode révision ou de m'envoyer votre édition par courriel. Merci.

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on March 29, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Regional Director, Fisheries Management (Chair)
Alain Vezina	Regional Director, Science
Donald Humphrey	Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Quebec Region	
Patrick Vincent	Regional Director General
Nicole Bouchard	Regional Director, Ecosystems Management
DFO Gulf Region	
Serge Doucet	Regional Director General
Canadian Coast Guard (CCG), Atlantic Region	
Julien Gaudet	Superintendent, Marine Communications and Traffic Services
DFO National Headquarters	
Adam Burns	Director General, Fisheries Resource Management (FRM)
Brett Gilchrest	International Fisheries Officer
Jean Landry	Director, Fish Population Science
Darren Goetze	Director General, Conservation & Protection (C&P)
Judy Dwyer	Director, Enforcement Operations, C&P
Julie Stewart	Director, Integrated Species at Risk
Megan Nesselth	Communications Advisor
Francois Bellehumeur	Senior Finance Manager, Financial Management Advisory Services
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies

	TOPIC	LEAD
1.	Welcome, Introductions and Opening Remarks	Annette Daley
<p>The Record of Discussion from the meeting on March 14, 2018, was circulated earlier by email. Any further edits can be sent to Sheila Prall Dillman by COB March 29, 2018. It will then be considered final.</p> <p>For ease of reference, recent news releases and reports related to NARW are saved in the Reference folder of the committee's GConnex page.</p> <p><i>See the News Release, "Government of Canada unveils its plan for protecting North Atlantic right whales in 2018" at http://www.dfo-mpo.gc.ca/media/news-presse-eng.htm regarding the announcement by Minister Leblanc and Minister Garneau on March 28, 2018, of measures to mitigate risks from fishing and shipping interactions.</i></p>		



s.69(1)(g) re: (a)

2.	Budget 2018	Francois Bellehumeur
3.	Marine Mammal Response (MMR) Program	Adam Burns
<p>Adam Burns provided an update that the Regional Directors of Fisheries Management had been briefed on the Minister's announcement that the suspension on NARW disentanglement was lifted. There had been a meeting with external responders a couple of weeks earlier in Ottawa and their advice to handle NARW the same as other large whales (i.e., larger than minke) was accepted by the Minister. The memo to the Minister specifies which organizations are eligible to disentangle whales.</p> <p>The challenge is that there is no existing disentanglement capacity for the Gulf of St. Lawrence. Discussions have started with experienced groups in other areas about developing protocols and doing on the water drills. C&P is in the process of training officers to provide a support role. External groups have been advised of the new requirement to have a CSA approved helmet on a C&P vessel. FRM will follow-up soon with written protocols for NARW, as part of the larger whale response protocol.</p> <p>The funding of \$1M that was announced for external groups is broader than NARW. Brett Gilchrest and the regional Marine Mammal Coordinators (MMCs) will develop a plan for the distribution of funds for discussion at the National Whales Steering Committee in the next week or two.</p> <p>FRM is also working with the MMCs to ensure operational readiness. The MMR program will develop east and west zones (hubs) and increased national capacity that will come online through the year. In the meantime, a <u>draft</u> decision tree for MMR has been developed <u>proposed</u>. It focuses on the MMC's coordination role. The Regional Directors are the decision points and they are responsible for briefing up to the National Whales Steering Committee and to Adam Burns, who will ensure communication across the regions. The <u>draft</u> decision tree will be discussed next week at the National Whales Steering Committee.</p> <p><u>For Action:</u></p> <p>It is important that licences under s. 52 of the <i>Fisheries Act</i> and authorizations under the <i>Species at Risk Act</i> related to marine mammal response only be issued to the approved list of eligible organizations. Adam Burns will provide the list to Julie Stewart who will ensure the Regional Managers for the Species at Risk program are aware.</p> <p>Julie Stewart will ensure the MMCs are involved in the review of applications under the Habitat Stewardship Program (HSP) for species at risk to ensure that appropriate groups are funded for marine mammal response. A discussion is also required on the longer-term approach as some groups have received multi-year funding to build capacity in marine mammal response, and while the intention is not to reduce any existing funding, the HSP is also not intended to be a long-term source of funding.</p>		



Fisheries and Oceans
Canada

Pêches et Océans
Canada

4.	Research, Risk Assessment and Monitoring	Jean Landry
<p><i>Canadian Science Advisory Secretariat (CSAS) requests for advice</i></p> <p>Jean Landry provided an update that a prioritized list for CSAS advice related to marine mammals has been discussed with the Regional Directors and the Assistant Deputy Minister for Science and the Director General Policy Committee. The first priority is more comprehensive advice on NARW. The intent is to provide the advice by November 2018 (even though data collection will still be ongoing then) to assist DFO and Transport Canada in making decisions about possible adjustments for the following year. In April 2018, Science will further define what can be provided in the advice and will seek approval of the plan at the National Whales Steering Committee.</p> <p><i>Survey Plan</i></p> <p>s.21(1)(b) As there was support at the last meeting of the Atlantic Steering Committee for Science to lead a group responsible for managing an integrated surveillance plan, Jean Landry has tasked Mike Hammill with leading this group and a first conference call was held last week with Science, C&P and Transport Canada. The draft survey plan for Science (distributed for this meeting) will be updated to be a global plan for the Government of Canada. It will be an integrated survey plan for the various assets in Science, C&P and Transport Canada.</p> <p>The contract for the twin otter is expected to be signed next week. Hiring of marine mammal observers is progressing but a little behind schedule. Jean Landry asked that everyone keep in mind when requesting information from Science that the marine mammal experts will be busy in April-May with training the new observers and doing survey flights to fill gaps until all of the observers are hired and trained. Science's aerial survey flights are expected to begin by April 9th, possibly sooner.</p> <p>For FRM, a key consideration is to minimize as much as possible the time between a NARW being sighted in a foraging area that is open to fishing and the Variation Order being issued to close the area and to remove fishing gear from the water. Jean Landry outlined a plan and key questions for the timely flow of information in the Proposed NARW Sighting Data Workflow for the discussion of governance (see item 5 below).</p> <p><u>For Action:</u></p> <p>Jean Landry requested the names of one or two contacts in C&P, FRM and Transport Canada to contribute to the development of the global surveillance plan. (This had also been requested at the meeting on March 14th.) There are currently over 30 participants involved in surveillance meetings with inconsistent participation. This group should be streamlined with specific people identified.</p>		
5.	Governance	All
<p>During a brief discussion of governance (in other words, what is required to ensure clear communication and coordinated action during the season) a number of considerations were raised.</p> <p>There was generally agreement on the following:</p> <ul style="list-style-type: none"> • There should be streamlined and efficient processes with specific people identified for certain responsibilities, using approved protocols to the extent possible. • The situation last year, with a lot of information flowing and many people involved in decision-making, should be avoided. • The surveillance plans of Science, C&P, Transport Canada and others (e.g., NOAA) should be coordinated for optimal use of the various assets. • DFO and Transport Canada would have separate management processes. • Observations of NARW can be reported immediately from the planes with satellite phones, but this should be done in a way that minimizes distraction for the observers. There is a need to identify one contact person; possibly one for DFO and one for Transport Canada. 		



Some points for further discussion include the following:

- Whether or not a small group of individuals should be identified to provide analysis and recommendations to decision-makers. If so, would this lead to delays in decision-making? How would decisions be made outside of business hours?
- Whether the Regional Directors of Fisheries Management should be the decision points and the main recipients of the sightings information. If so, would this lead to inconsistencies in approach across regions? How would the directors be supported in their role, without sending a request to Science for analysis?

There are also a number of key considerations and points requiring further clarification regarding the flow of data in the Proposed NARW Sighting Data Workflow (distributed for this meeting).

For Action:

A special meeting focused only on governance will be scheduled for next week. To prepare for the meeting, the committee is asked to read the Proposed NARW Sighting Data Workflow.

6.	Fisheries Interactions / Early Opening of Snow Crab Fishery	Adam Burns
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Adam Burns provided an update that the fishing industry is accepting the measures that were announced by the Minister on March 28, 2018, but is concerned about the static and dynamic closures. The MMR network is generally pleased with the announcement.

The key issue for FRM at this point is to confirm how the temporary closures will be operationalized, mainly the data flow from planes for C&P and Science. This will be discussed further at the special meeting on governance.

Adam Burns also advised that the Canada/US Cetacean Working Group will be meeting in Boston on April 11-12, 2018, and he will provide a debrief afterwards.

Julien Gaudet provided an update that ice in the Shippagan area is decaying naturally. A T1100 class ice breaker is there and a hovercraft is prepared to transit from Quebec. Ice breaking will begin no earlier than April 6th, and an early opening of the snow crab fishery looks promising at this point.

7.	Shipping Interactions	Paul Scott
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Paul Scott provided an update that Transport Canada has been engaging the shipping industry and the provinces following the Minister's announcement and the measures for the shipping industry are being well-received so far.

Transport Canada is now focusing on detailed questions to implement the measures. For example, two clear flights are required to lift a temporary slow-down, and what constitutes a "clear flight" will be defined so that operational staff will have a clear understanding of what to do.

Paul Scott also provided an update that the Working Group looking at areas outside the slow-down box in the Gulf of St. Lawrence has done a lot of work to identify options for management measures. They are now analyzing whether the options can be practically implemented with existing resources and will report back in the near future. He confirmed that Transport Canada would like to receive advice from the Working Group before the department makes a decision on the options. The Working Group will then be dissolved.

8	Training	Jean Landry Judy Dwyer
---	-----------------	---------------------------

Training in Species Identification

Jean Landry advised that training in species identification is being offered for fishery officers by marine mammal experts via WebEx on April 5, 9 and 16, 2018. Stephanie Ratelle is the contract to arrange training, and she has been in contact with the Gulf Region and C&P.



Training in the Incident Command System (ICS)

Judy Dwyer provided an update that ICS training is being organized through the CCG for those who will be involved in responding to incidents with NARW in C&P, Science, FRM, Species at Risk and Communications. The ICS 100 course can be done online and it is a pre-requisite for further training. The ICS 200 course is a two-day course tentatively planned for April 17-18, 2018, with a maximum of 24 seats. There is some flexibility in the dates or to have two courses that week. C&P will send a call letter to the Regional Director Generals to identify who should attend the training. This is being organized at the request of the National Whales Steering Committee.

9. Next Meeting

A special meeting on governance will be arranged for next week (subsequently set for April 4, 2018).

The next bi-weekly meeting of the Atlantic Steering Committee is scheduled for April 11, 2018. The items planned for that meeting include:

- A discussion on the NARW Recovery Network (its leadership, membership and mandate) and federal participation in the NARW Consortium.
- A brief update on ice breaking to open the snow crab fishery early.
- A discussion on the frequency and purpose of the Atlantic Steering Committee's meetings, as there was agreement to revisit the biweekly schedule once a plan was in place for the spring of 2018.

Other suggestions for agenda items are welcome and can be provided to the chair and secretariat.

Caines, Allison

From: Schaefer, Heidi
Sent: Thursday, April 12, 2018 10:26 AM
To: Sweet, Marilyn
Cc: Merriman, Catherine B
Subject: 2018 Fishery Response Protocol_SARMD comments
Attachments: 2018 Fishery Response Protocol_SARMD comments.docx

Hi Marilyn,

Since I'm the one attending the Table Top exercise next week, I reviewed the protocol. I didn't have an e-copy when I started the review, so my comments are on a separate word document attached. I think Cathy had provided comments earlier. I didn't take time to review before, so some of my questions maybe about things that have already been decided. Thanks for the opportunity to review.

Heidi

Maritimes Region Draft Response Protocol: Confirmed Detection of NARWs.

- Title:
 - The title should clearly specify the type of response this protocol will deal with so that it can be easily distinguished from other protocols (i.e. from disentanglement response protocols or carcass/necropsy response protocols). This protocol seems to involve decisions about managing fisheries... but also is about shipping (Notice to Shippers)?
 - The title should specify the type of detection this protocol will deal with (i.e. is this protocol for visual detections only, or for acoustic detections as well?). What is the plan for acoustic detections?
 - Suggestion for title: Maritimes Region Response Protocol for the Management of Fisheries following Confirmed Visual Sightings of Live North Atlantic Right Whales.
- Decision Tree:
 - What happens when you confirmed presence of 2 whales? That scenario is highly possible but not covered in this protocol.
 - Not clear on the rationale for requiring a different level of fisheries management response for scenarios inside and outside CH. Is that explained somewhere?
 - How will you deal with several reported sightings during 1 day in the same area? Will you know whether it is several reports of 1 whale... or several reports indicating several whales? What will the default assumption be in that case?
 - Make sure reference to the "section A, B, and C" are included in the decision tree.
 - It would be helpful to include the management decisions (NO CLOSURE vs. DYNAMIC AREA CLOSURE) in the decision tree since they are known and appear in the protocol.
 - Some of the steps seem to be missing in the decision tree. I mapped out a new for my own understanding (see last page). If you want to use it, let me know.
- Step 1:
 - Are there NO situations where unconfirmed sightings will result in a response? E.g. what if there are 5 unconfirmed reports of 10 whales late in the day before a high risk fishery is set to open in CH?
 - How often does Science Branch review reported sightings? Required frequency should be stated (e.g. once daily 7 days a week, or 3 times a day, 7 days a week).
 - With what frequency and urgency does Science provide reports to Marilyn? Does Science send Marilyn reports ASAP after confirmation, or are they rolled-up once daily? E.g. if there are multiple sightings reported throughout the day, do they get reported as they come in, or rolled up into 1 report daily?
 - If the information sent to Marilyn includes a map of sightings (see info requirement b), the question of whether or not in CH can be answered at this stage. CH coordinates are known and polygons can easily be provided to be incorporated ahead of time into whatever mapping product Science uses to create these initial maps. This doesn't need to be a separate step. I don't know if the same is true for Active fishing areas? If not, that would be a useful mapping product to develop.

- The Appendix B table includes fixed gear only (I think). Although it's probably obvious, should the protocol state somewhere the types of Fisheries that the protocol applies to (e.g. fixed gear not mobile gear).
- Step 2:
 - Sub-steps should be labelled as A, B, etc. so that they aren't confused with the higher order steps 1, 2, 3, etc.
 - For sightings of 3 or more whales, why isn't whether or not it is in an active fishing area important?
 - Step 2.2:
 - Think about what you will do if multiple sightings come in on the same day. Do you send separate emails for each?
 - For email subject lines, would you also want to know whether the sighting is in an active fishing area in the email title? Why just the reference to CH?

Section A: Single NARW outside CH

1. Single whale – No active fishing (NO CLOSURE).
 - 1: Somewhere we should explain what NO CLOSURE means.
 - 1a: If you are just checking/confirming the list at this stage, how did you decide you were in a "no active fishing" area to begin with? It seems that this step is what you used to decide to go down this path in the decision tree in the first place. When you are checking this list, can you not also look forward to upcoming fisheries (e.g. active fisheries, or fisheries beginning within 1 week)?
 - 1b: Do other Regions and NHQ need to know of every single sighting in non-CH, non-Fishing areas? What would they do with this information? Is it just for awareness? Is it provided in real time as sightings are confirmed, or rolled-up daily or weekly?
 - 1c: What to the recipients of this email do with the information? Is it just for awareness?
 - 1d:
 - Is a meeting necessary for each individual sighting of a NARW in a non-CH, non-Fishing area? What if multiple sightings come in during the one day? Are there multiple meetings?
 - Having chosen "non fishing area" to be on this path in the decision tree, we must already have overlayed the sighting location with active fishing areas? How else did we decide? Why are we doing this again now?
 - 2(i) What is the purpose of enhanced surveillance? Is it to track the individual whale? Is it to find out if there are more whales in that location? On what basis would you decide to enhance surveillance?
 - 2(ii) At what point is the type of fishery and the risk it presents to NARW factored into decision-making outcomes (e.g. pelagic longline, vs. offshore lobster)? If there is information about fishery-specific risk that should be considered.
 - 2(ii) Why is whether upcoming fisheries are in "proximity of CH" the primary basis for concern? How close to CH does it have to be to make a difference?
 - (iii) Who is being updated? Why and how?

- The decision points and outcomes for Section A seem to be:
 - Decide whether or not to increase surveillance in the area of the sighting. Answer is yes or no? What is considered in making this decision?
 - Decide whether those on the distribution list (I assume?) need to be updated on the results of surveillance (I assume that is the information to be updated)? Answer is yes or no? What is considered in making this decision?
 - Is there any other predictable management action that should be included?

2. Single Whale – active fishing area (NO CLOSURE)

Resource Management:

- The step where a decision is made on a Management Action seems to be missing from this step. Is that decision made by the folks on the distribution list during their initial meeting? Not clear.
- a:
 - If you are just checking/confirming the list at this stage, how did you decide you were in an “active fishing” area to begin with? It seems that this step is what you use to decide to go down this path in the decision tree in the first place.
 - When you are checking this list, can you not also look forward to other upcoming fisheries (e.g. active fisheries, or fisheries beginning within 1 week)?
- d:
 - What if multiple sightings come in during the one day? Multiple meetings, or one?
 - Having chosen “fishing area” to be on this path in the decision tree, we must already have overlayed the sighting location with active fishing areas? How else did we decide? Why are we doing this again now?
 - 2(i) What is the purpose of enhanced surveillance? Is it to track the individual whale? Is it to find out if there are more whales in that location? On what basis would you decide to enhance surveillance? How is enhanced different from “regular”?
 - 2(ii) At what point is the type of fishery and the risk it presents to NARW factored into decision-making outcomes (e.g. pelagic longline, vs. offshore lobster)?
 - 2(ii) Why is whether upcoming fisheries are in “proximity of CH” the primary basis for concern? How close to CH does it have to be to make a difference?
 - 2(iii) What would determine the frequency of calls?
- f:
 - If notice will always say that DFO is doing surveillance on specific situations are we always in an “enhanced surveillance” situation? If so, do we need decision 2(i)?
 - Assume reported sightings are via Science still?

Coast Guard:

- Why is a Notice to Shippers being issued? What will it say? If it is needed in this scenario, why is it NOT needed in the non-Active fishing area scenario?

Science:

- Can we expect increased sightings to be reported when a Notice to Fishers is sent out? If so, should Science increase the frequency at which they check for sightings reports? Should they be triggered at this point to pull in extra staff to do this?

Daily updates:

- Implied that a decision has been made on a Management Approach, but not clear who has made that decision and when in this process.
- I think Science has said they don't have the capacity to identify individual whales. Do we have arrangements with NEAq to provide this level of daily tracking service for single whale sightings?

Section B: Single NARW inside CH

1. Single whale – no active fishing (NO CLOSURE).

Resource Management:

- a: If you are just checking/confirming the list at this stage, how did you decide you were in a "no active fishing" area to begin with? It seems that this step is what you use to decide to go down this path in the decision tree in the first place. When you are checking this list, can you not also look forward to upcoming fisheries (e.g. active fisheries, or fisheries beginning within 1 week)?
- b: what is the purpose of notifying NHQ and other Regions of every "low risk" situation?
- d:
 - Is a meeting necessary for each individual sighting of a NARW in a CH, non-Fishing area? What if multiple sightings come in during the one day?
 - Having chosen "non fishing area" to be on this path in the decision tree, we must already have overlayed the sighting location with active fishing areas? How else did we decide? Why are we doing this again now?
 - 2(i) What is the purpose of enhanced surveillance? Is it to track the individual whale? Is it to find out if there are more whales in that location? On what basis would you decide to enhance surveillance?
 - 2. At what point is the type of fishery and the risk it presents to NARW factored into decision-making outcomes (e.g. pelagic longline, vs. offshore lobster)?
 - (ii – v) Why are these measures required in CH, but not outside CH (see Section A1)?
 - (ii): How close to fisheries have to be to be "adjacent"?
 - (iii): How big does the buffer have to be? What is the purpose of the buffer?
 - (iv) Which upcoming fisheries would need to be delayed? Those within the defined area and buffer zone?

C&P:

- How is this information different from what RM already knows and has considered above?

Coast Guard:

- Why a notice to Shippers? What will it say? Slow down? Avoid Area? Will it be voluntary or mandatory? Ships are already supposed to be voluntarily avoiding the CH (ATBA in Roseway), or are already in regulated shipping lanes (Grand Manan Basin).

2 – Single whale – Active fishing area (Dynamic Area Closure)

Resource Management:

- Generally same comments as in previous sections.
- a) At least within the CH areas, can preparations be made in advance to easily know what fisheries are active or anticipated for opening in this pre-defined areas so that individual advisors don't need to always be contacted to get this information?
- e)(b)(ii) What is the purpose of the buffer zone? Is it included as part of the closure area or is it managed differently? How big does it need to be?
- v) What is the intent of increase surveillance, and does DFO have the capacity to meet this intent (e.g. if to track individual whales?).

Coast Guard:

- Why no Notice to Shippers for this scenario, but it's required for the others?

Science:

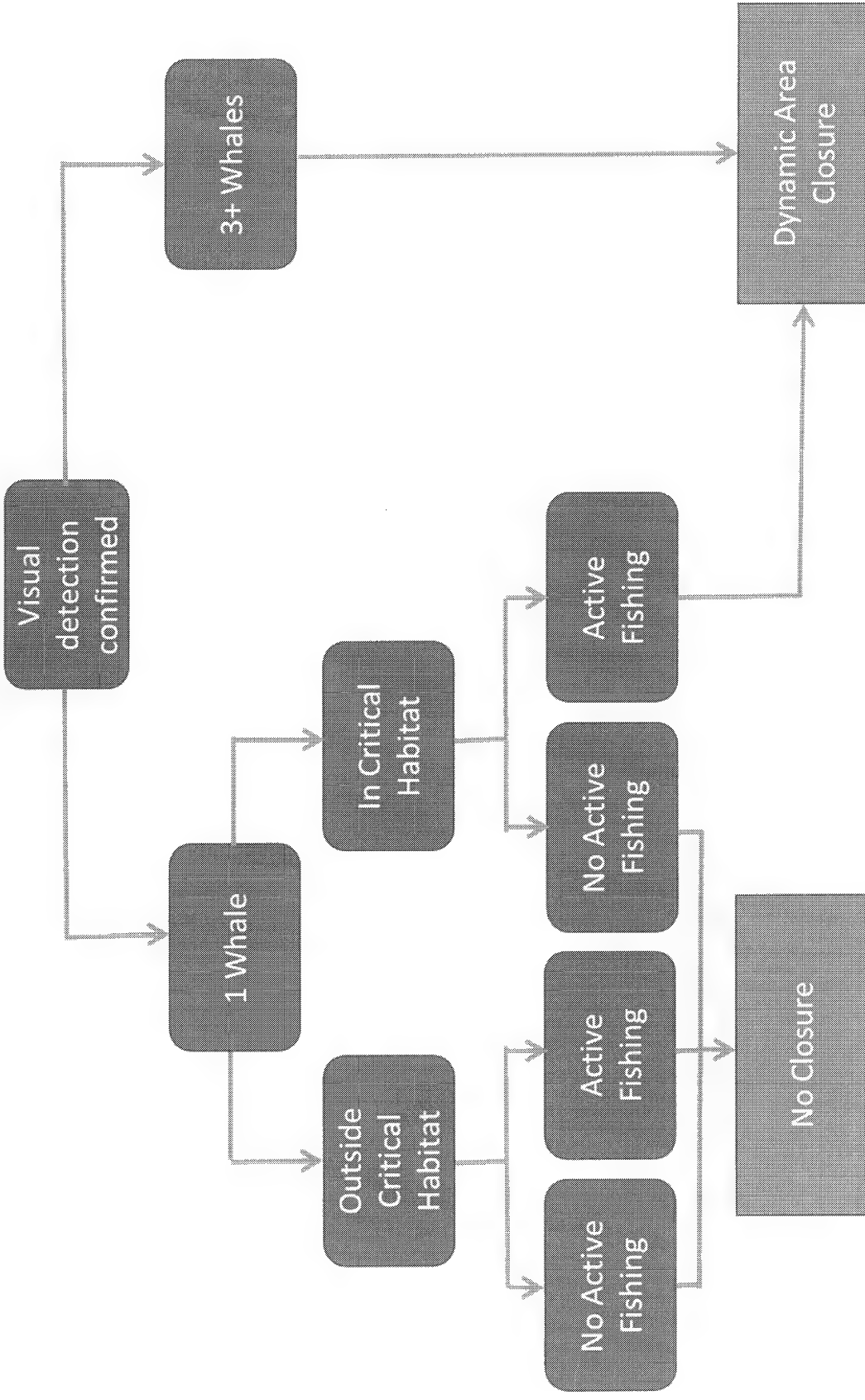
- Can we expect increased sightings to be reported when a Notice to Fishers is sent out? If so, should Science increase the frequency at which they check for sightings reports? Should they be triggered at this point to pull in extra staff to do this?

Section C: Three or more NARW outside CH

- Should "DYNAMIC AREA CLOSURE" be in the title to be consistent with the previous section?
- See comments on previous section.

Additional Considerations

- a) The duplicate sightings scenario is highly likely. An approach for potential duplicate sightings must to be worked-out in advance.
- b) Can Science advise on whether it will be possible to distinguish between transiting and foraging whales from the expected sightings data? Is there any scenario where this will be possible (e.g. if from DFO flights?). If so, should the procedure change?
- Is notification to entanglement response groups to alert them to potential entanglement situations – particularly Section C Scenario – incorporated in the Protocol? Should it be?



MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: April-12-18 4:49 PM
To: Vézina, Alain; Vincent, Patrick; Lemire, Maryse; Doucet, Serge; Lambert, Robert; Hodgson, Trevor; Laverdure, Louise; Nadeau, Simon; Burns, Adam; Jenkins, Randy; Goetze, Darren; Lagace, Émilie; Ellen Burack; Tracy Chatman
Cc: Daley, Annette; Couturier-Dubé, Geneviève; Richard, Tina; Pellerin, Patricia; Bellfof, Elyse
Subject: For Review: Draft RD - ASC for NARW Apr 11, 2018 / Pour examen: Ébauche de CR - CDA pour BNAN le 11 avril 2018
Attachments: Draft Record of Discussion - ASC for NARW April 11 2018 (2018-04-12).docx

Good afternoon,

For your review, attached is the draft Record of Discussion from the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on April 11, 2018. It is also posted on GCconnex for the information of those who could not attend. Please confirm if this accurately reflects the discussion, particularly around the proposed approaches for sighting reports. Thank you.

Pour votre examen, vous trouverez ci-joint le compte rendu des discussions de la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 11 avril 2018. Il est aussi affiché sur GCconnex pour les informations de ceux qui ne pouvaient pas assister. Veuillez confirmer si ceci reflète précisément des points clés de la discussion, surtout concernant des approches proposées pour les rapports d'observation. Merci.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on April 11, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Annette Daley	A/Regional Director, Fisheries Management (Chair)
Alain Vezina	Regional Director, Science
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Quebec Region	
Patrick Vincent	Regional Director General
Maryse Lemire	Regional Director, Fisheries Management
DFO Gulf Region	
Serge Doucet	Regional Director General
DFO Newfoundland and Labrador Region	
Robert Lambert	A/Regional Director, Fisheries Management
Canadian Coast Guard, Atlantic Region	
Trevor Hodgson	Superintendent of Icebreaking Program – CCG Atlantic
DFO National Headquarters	
Louise Laverdure	A/Director General, Ecosystem Science
Simon Nadeau	Senior Advisor, Ecosystems Science
Adam Burns	Director General, Fisheries Resource Management
Randy Jenkins	A/Senior Director, Integrated Resource Management
Darren Goetze	Director General, Conservation & Protection
Émile Lagace	Senior Advisor to the Director General, Ecosystems Management
Transport Canada	
Ellen Burack	Director General, Environmental Policy
Tracy Chatman	Marine Safety Policy Advisor

	TOPIC	LEAD
1.	Welcome and Introductions Review Records of Discussion	Annette Daley
Annette Daley asked the committee to review the action items in the Record of Discussion from the meeting on March 29, 2018, for example, to ensure that contact names are provided to Jean Landry to contribute to the global surveillance plan. Also, to review the record of the meeting on April 4, 2018, to ensure it reflects the discussion about the proposed approaches. Edits to these records can be sent to Sheila Prall Dillman by April 13, 2018. They will then be considered final.		



It was noted that some members were absent from this meeting due to the Canada-US Cetacean Working Group meeting in Boston on April 11-12, 2018.

2. **Fisheries Interactions**

Adam Burns / Trevor Hodgson

Icebreaking for Early Opening of the Gulf Snow Crab Fishery

Trevor Hodgson provided an update on the Canadian Coast Guard's (CCG) recent efforts at icebreaking to open the Gulf snow crab fishery early. The Sir William Alexander has broken the ice a few times but the tracks are freezing over again because the ice is blocked and not flushing out of the Shippagan Bay. The forecast is for sunny weather this week and the CCG hopes to be in the Bay this afternoon with the hovercraft. Buoys and a search and rescue vehicle also need to be placed in the area before the fishery can open. The CCG is optimistic that progress will be made this week and that buoys can be placed next week.

Static Closure in Southern Gulf

Serge Doucet noted that fishing in the area of the static closure will be effectively eliminated for the Gulf snow crab fishery due to the ice. The fleet informed DFO they will need 5-7 days to get their boats in the water, so vessels may not be in the water until the static closure takes effect on April 28th. With the temporary closures, Serge Doucet noted that C&P and the CCG will need to work closely on how to remove gear if harvesters are not able to remove their gear from the water in time.

Serge Doucet also provided an update that the Gulf Region has recently realized that the static closure will unintentionally impact other fisheries, such as Lobster Fishing Area 23 that would normally open on May 1st. The Gulf Region is discussing options internally and with the Maritime Fishermen's Union.

Reports and Maps of Sightings

To support the Minister's decision to create a defined area in the southern Gulf that will be subject to temporary fishery closures, Adam Burns advised that Fisheries Resource Management (FRM) is focusing on how information will be communicated from the surveillance flights so that closures and re-openings can be implemented as timely as possible. The trigger for the temporary closure of a quadrant in the Southern GSL (only) is the presence of a single NARW, and the quadrant will re-open after 15 days if there are two clear surveillance flights.

The process is still being discussed between DFO and Transport Canada, but sightings may be reported slightly differently between Science and C&P. Science will call-in all sightings to Transport Canada's Situation Centre. C&P has been asked to only call-in sightings to the Situation Centre that are in the area subject to temporary closures. The Situation Centre will plot the sightings on a map that will include an overlay of the quadrants subject to temporary closures. Adam Burns suggested these maps only be distributed when the sightings are within the area subject to temporary closure.

In addition, information from all surveillance flights will be sent to Science in Maritimes Region. Working with Science in Gulf Region, maps will be prepared by 10 a.m. EST / 11 a.m. AST daily that will include all NARW sightings up to the previous day. A small working group will be established with Resource Management, Science, and Species at Risk that will meet daily to review these sightings maps and provide advice to directors on whether any new areas should be subject to closure.

Adam Burns will have a conference call with the Regional Directors of Fisheries Management on April 13, 2018, to confirm the flow of information for decision-making, including distribution lists and the structure of the working group. He will also brief the Deputy Minister and Minister's office on the process early in the week of April 16, 2018. They may request more real-time sightings information, and this will be assessed, but the intention with the proposed approach is to limit real-time data so it is manageable.

In the discussion, it was noted that Transport Canada is developing a policy for responding to whale sightings outside of the defined slow-down areas in the Gulf of St. Lawrence. They would like to receive sightings information from all aerial surveys in real time through the Situation Centre; however, Science's daily maps with



all sightings up to the previous day may be fine for some parts of Transport Canada. Science will report all sightings from their planes to the Situation Centre. C&P could also report all sightings of NARW from the planes, with sightings of other marine mammals to follow later. The challenge is in confirming if the mammal is a NARW.

A consideration in the approach proposed by FRM is whether the benefits of real-time data for areas not subject to the temporary closure protocol would warrant the work involved for employees. The head of the National Executive Steering Committee for Whales has asked for a clear and direct chain of custody for information and to limit the information to what is required to implement the Minister's decision.

3.	Research, Risk Assessment and Monitoring	Alain Vezina
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Alain Vezina advised that Science has the same plan that was discussed at the Atlantic Steering Committee meeting on April 4th. The Gulf Region will provide daily sightings maps and the Maritimes Region will provide weekly maps until WhaleMap is operational. With WhaleMap, sightings data will be available anytime (it is also open to the public).

On the survey flights for Science, the marine mammal observers will make one phone call to one contact number (likely the Situation Centre) whenever they see a NARW.

Two training sessions were held recently for observers and others on species identification. In total, 130 staff have now been trained, including many fishery officers. Staffing is ongoing for the marine mammal observers. In the interim, existing Science staff will fill any gaps on the survey planes.

Alain Vezina emphasized that the department still needs to address how opportunistic sightings will be managed. If the expected volume is received, it will quickly become overwhelming.

4.	Shipping Interactions	Ellen Burack
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Transport Canada is developing appropriate procedures to implement the slow-downs in the dynamic shipping lane, such as establishing processes with the Situation Centre and drafting notices to mariners. They are also discussing options for protective measures in other areas. Paul Scott can provide an update on this later.

It was confirmed that C&P and CCG vessels that need to exceed the slow-down limit for emergencies should contact the Marine Traffic and Communications Centre to inform them of the situation.

For Action:

Tracy Chatman confirmed that Transport Canada and the Gulf Region are working to develop the map with an overlay of the fisheries closure area that the Situation Centre will use to plot reported sightings. It will be in GoogleMap initially and ArcGIS later. She will provide Adam Burns with a sample once available.

5.	Marine Mammal Response	Adam Burns
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Adam Burns provided an update that the Marine Mammal Response Capacity program will confirm by the end of this week which external response groups will receive funding for 2018-19. The regional Marine Mammal Coordinators will lead the development of the Contribution Agreements with the groups. If staff experience any challenges, they should contact FRM for assistance as processes have been worked out with Finance so the program can achieve its objectives in a timely way.

FRM will establish a central necropsy reserve fund, rather than allocating funds regionally, so the department can respond where issues occur. This will include some funding to response organizations for the sampling they conduct on smaller dead mammals.

The Marine Mammal Response Program will staff the new NHQ, Atlantic Hub and Pacific Hub positions over the next few weeks. For now, the regional Marine Mammal Coordinators remain the key contacts and lead for



coordinating any response to ensure there is a clear chain of command. Protocols are being developed and will be in place soon. The different roles of the Hubs and the Marine Mammal Coordinators are being defined and Adam Burns will share more information once it is available.

Patrick Vincent noted that the Quebec Region provided names for the Incident Command System training but there were no French courses available. The organizers are looking for a solution for French speaking employees. It was noted that the 100 level course may be sufficient for many employees and it is available online in both official languages.

6. Next Meeting and Frequency of Meetings

The next bi-weekly meeting of the Atlantic Steering Committee will be on April 25, 2018.

It was decided that the Atlantic Steering Committee will continue to meet bi-weekly until at least the end of May 2018. Appointments will be sent until the end of the summer to hold the time in calendars, in case biweekly meetings will continue after May.

It was suggested that members consider bringing others onboard who can act as alternates during summer leave so they will be familiar with the committee's business.

Caines, Allison

From: Daley, Annette
Sent: Friday, April 13, 2018 9:57 AM
To: Schaefer, Heidi
Cc: Humphrey, Donald
Subject: Re: 2018 Fishery Response Protocol_SARMD comments

It may not be ready and you are likely right, but I think running through a sequence of activities can help to inform what needs to be in various protocol docs - particularly that one. Similarly, Comms had never seen their national protocol (which Donald sent to me), so I hope this will be an eye opener to participants (particularly from FM).

Annette Daley
A/Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Annette.Daley@dfo-mpo.gc.ca |
Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directrice régionale par interim, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Annette.Daley@dfo-mpo.gc.ca |
Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Schaefer, Heidi
Sent: Friday, April 13, 2018 9:27 AM
To: Daley, Annette
Cc: Humphrey, Donald
Subject: RE: 2018 Fishery Response Protocol_SARMD comments

Hi Annette,

I'm wondering if the protocol is in a condition to "test drive" on Tuesday, and whether the time blocked-off should be used to discuss improvements to the protocol instead? I feel like that is what is going to happen anyway.

Heidi

From: Sweet, Marilyn
Sent: Friday, April 13, 2018 9:21 AM
To: Schaefer, Heidi <Heidi.Schaefer@dfo-mpo.gc.ca>
Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>
Subject: RE: 2018 Fishery Response Protocol_SARMD comments

Hi Heidi,

I won't have the time to go through this before Tuesday, so maybe we can discuss things as we work through the document.

I did receive comments from all 3 of you actually and don't have time to go through all the documents. Would it be possible to have a collated document from SARMD with collective comments for the branch? You can just bring comments in person to the meeting Tuesday (or send as well and I will see if I can review after the meeting.)

Thanks

Mar

From: Schaefer, Heidi

Sent: April-12-18 10:26 AM

To: Sweet, Marilyn

Cc: Merriman, Catherine B

Subject: 2018 Fishery Response Protocol_SARMD comments

Hi Marilyn,

Since I'm the one attending the Table Top exercise next week, I reviewed the protocol. I didn't have an e-copy when I started the review, so my comments are on a separate word document attached. I think Cathy had provided comments earlier. I didn't take time to review before, so some of my questions maybe about things that have already been decided. Thanks for the opportunity to review.

Heidi

MEMORANDUM FOR THE REGIONAL DIRECTOR GENERAL

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE MANAGEMENT
MEASURES FOR MARITIMES REGION -2018**

SUMMARY

This note is seeking your decision on options to address dynamic closures for fixed-gear fisheries in the Maritimes region for the 2018 fishing season. The intent of these closures is to reduce the possibility of interactions with the endangered North Atlantic Right Whales (NARW).

Several new measures focused on marine mammals have been implemented in the Maritimes Region for the 2018 season. These measures are in response to requirements under the United States Marine Mammal Protection Act (MMPA) and also in response to the unusual number of deaths and entanglements of NARW in the Gulf of St. Lawrence in 2017.

The details of the parameters of this closure are included in the draft NARW Response Protocol included in TAB 1.

s.21(1)(a)

s.21(1)(b)

BACKGROUND

North Atlantic Right Whale was listed under the *Species at Risk Act* (SARA) in 2005. The current estimate for the population of NARW in 2017 was 452 animals. Of this number, only 105 are thought to be females of reproductive age and no known calves were observed in 2018 to date.

There has been an observed change in the distribution of the NARW since 2010 which has seen fewer confirmed observations of NARW in the Bay of Fundy and along the Scotian Shelf. This shift is potentially correlated to a shift in their food supply. In 2017, 12 NARW were found dead in the Gulf of St. Lawrence, with an additional 5 animals being successfully disentangled in the same area.

.../2

In addition, the Gulf Region has approved several measures for dynamic and static closures for the 2018 fishing season as a means to reduce the possible interactions with fishing gear when NARW are present. This includes a static closure to fishing activity beginning April 28th, 2018 (or sooner if NARW are present) in the area where 90 percent of the whales were sighted in 2017. This static closure will cover approximately 14,000 km² and will close the area to all fixed gear fishing activity.

s.19(1)

STRATEGIC CONSIDERATIONS

As part of the Ocean Protection Plan, DFO carried out a science-based review of the effectiveness of the current management and recovery actions for three at-risk whale species in Canada; one of which is NARW. This review noted that “[r]educing the spatiotemporal co-occurrence of North Atlantic right whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled.”

Two Canadian studies have identified spatiotemporal closures as a possible measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017). Vanderlaan et al. found that the use of fixed fishing gear in Canada and the U.S. is often identified as posing a high risk to right whale entanglement or entrapment. The study examined the risk of lethal interactions with different fishing gear types and right whales in Canada. The results identified higher risk fisheries based on where gear is set, the overlap of fishing season and whale presence, and the two identified critical habitats, which are both found within the Maritimes Region. It was determined that in critical habitat, groundfish bottom longline is the greatest threat during the summer residency period of right whales, while the lobster fishery, which includes many trap lines, is the greatest threat during migratory periods in spring and fall.

There is little understanding of how entanglements occur, but it is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW. There are challenges in identifying higher risk areas based on historic NARW sighting information and areas of high-use fishing activity.

The Recovery Strategy for North Atlantic Right Whales identifies Grand Manan Basin and Roseway Basin as critical habitat for the whales. These two areas are assumed to contain some functions and features that are required for the recovery of the species, including foraging for adults, cursing and rearing of calves and the resting and socialization of right whales. While there has been a shift in distribution of NARW in recent years resulting in additional possible foraging areas for right whales, the two identified critical habitats in the Maritimes Region remain.

Comment [D1]:

There remain gaps in knowledge regarding fishing gear entanglements, including how entanglements occur and which fishing gear produces what level of risk to NARW. Many of the recommendations from the scientific community have focused on avoidance as the greatest means of reducing risks of interactions. The gaps in knowledge of how entanglements occur coupled with uncertainty of the whales movement and current foraging habits makes the requirement to approach fishing interactions and NARW movement from a precautionary approach all the more important.

Comment [D2]: This is a bit of a repeat from a previous paragraph.

DFO staff has framed potential solutions prioritized by their likelihood to prevent entanglement: Prevention (e.g. season changes, rope reduction), mitigation (e.g. gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly, therefore the focus is on preventing interactions from occurring by reducing the spacial overlap of fishing activity when whales are present.

Conservation and Protection and Science Branches are both working on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW are confirmed in the Maritimes Region.

SCIENCE ADVICE

Do I need to add details here when it is all noted above>?

Comment [D3]: Do you think you could easily get something from Science on this? You could add a paragraph on the studies you cited and internally too. I think that our decisions need to be based on the science information as much as possible and we should highlight this.

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations.

NEXT STEPS

The Maritimes Region will hold several table-top exercises to test the draft NARW Response Protocol (TAB 1). This document will remain evergreen and will be updated as required in the coming months.

Annette Daley
Regional Director
Fisheries Management

Attachment(s): (2)

- 1) *Draft Maritimes Region North Atlantic Right Whales Response Protocol*
- 2) *Static and Dynamic Management Measures- Gulf Region 2018*

M.Sweet/C.Waters/J.Berthier/A.Daley/MEValkenier/bh

Merriman, Catherine B

From: Merriman, Catherine B
Sent: April-16-18 12:58 PM
To: Schaefer, Heidi (Heidi.Schaefer@dfo-mpo.gc.ca); Humphrey, Donald
Subject: FW: 2018 Information Flow Protocols.docx

Annette is suggesting my name be part of the right whale information flow protocol, with Heidi identified as well. She is also suggesting a RW working group with me as a member and a space for an alternate ...

Cathy

From: Daley, Annette
Sent: April-13-18 5:48 PM
To: Burns, Adam; Jenkins, Randy
Cc: Berthier, Jacinta; Sweet, Marilyn; Waters, Christa; Wentzell, Doug; Valkenier, Mary-Ellen; Merriman, Catherine B; King, Rhea L; Vézina, Alain; Cherry, Michael; Moors-Murphy, Hilary; Niven, Sherry; Lambert, Robert
Subject: RE: 2018 Information Flow Protocols.docx

Adam, following up on the discussion today on the protocol you prepared for information flow regarding NARW and Marine Mammal incidents for 2018, I can provide names of suggested recipients of emails, maps and WG members, noting that since the call ended at 4 pm and you requested names today, I cannot confirm names of people outside FM in my region. So I am copying the suggested people and their Directors (and some others) in case they want to add, remove or substitute.

For the notifications coming for every sighting from the TC Situation Centre, which include only to sightings in the GSL Area 4T:

- a) I suggest you use one email subject line that is consistent and refers to the GSL specifically, so as not to raise undue reaction in other parts of the zone that are not implicated in the immediate closure (automatic action). Something along the lines of: NARW Urgent GSL Distribution List
- b) For Maritimes Region, that notification can go the MM Coordinator (we will provide an email address next week, as we are moving to a generic account so the notifications can be monitored by various people). For the time being, until we determine the requirement for this notification, the email can be cc'd to me and Jacinta Berthier. We will need to have the ability to edit this list, perhaps monthly, as some people including RDs NL and MAR are acting.

For the daily maps that will come at 10 am EST each day to the Whales Alert Email List, please add:

Annette Daley
Jacinta Bethier
Christa Waters
Maritimes MM Coordinator (Marilyn Sweet) – generic email acct will be coming
Cathy Merriman
Heidi Schaefer
Maritimes Science?
Regional C&P?

For the – Membership of NARW Working Group

Chair: Brett Gilchrist

FAM Members:

Gulf, QC, Maritimes and NL Marine Mammal Coordinators (Marilyn Sweet or alternate on duty)

Melissa Landry

Science Members: Please provide names to Brett Gilchrist ASAP (Sherry, Hilary, not sure if you want to put someone forward?)

SARA Members: Cathy Merriman, SAR Lead for the NARW (alternate?)

Annette

From: Daley, Annette

Sent: Friday, April 6, 2018 2:51 PM

To: Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Goetze, Darren <Darren.Goetze@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>

Cc: Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>; Vézina, Alain <Alain.Vezina@dfo-mpo.gc.ca>; King, Rhea L <Rhea.King@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Moors-Murphy, Hilary <Hilary.Moors-Murphy@dfo-mpo.gc.ca>; Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>; MacDonald, Heidi <Heidi.MacDonald@dfo-mpo.gc.ca>; Prall-Dillman, Sheila <Sheila.Prall-Dillman@dfo-mpo.gc.ca>

Subject: RE: 2018 Information Flow Protocols.docx

Adam, I took a stab at reworking the Item #1, as I cannot see how we can have the TC Situation Centre reporting on and DFO only acting quickly on NARWs in one zone (as per 1.a, though I recognize those decisions in zone 4T are predetermined, which is fine). And we have to be mindful not to bombard everyone for the next 9 months with urgent emails that might not present new or relevant info. So I reworked the notification lists so there is a scenario where the urgent issue is (a) in GSL only (which Maritimes and NL don't need to be involved in on an urgent basis); and (b) where the urgent issue is anywhere in the Atlantic zone (which may be of broader interest, then activities would move to the lead region). As I recall the discussion with TC at the call on Wednesday, they will be taking reports of all NARW sightings from the aerial surveillance platforms, mapping and distributing the coordinates to emails groups that we specify, so I think we should work with that to the extent possible. Somewhere in this process with the TC Centre (or within DFO), we need to see if we can get "urgent" notifications only when new information is recorded, such as an additional whale sighting or there is significant movement of whales. Similarly, the idea of Weekday Daily calls seems like a good idea (when there is a lot of activity), but may not be sustainable unless meeting parameters are clear.

The table format I used might not work for everyone, maybe a list or decision tree is better, but I had to follow the logic to see how different scenarios would work. My peeps are all tied up in meetings today, so I have not been able to test run this today, but wanted to get comments up and others can feel free to review and comment.

Annette

From: Burns, Adam

Sent: Wednesday, April 4, 2018 3:44 PM

To: Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Goetze, Darren

<Darren.Goetze@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>

Cc: Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>

Subject: 2018 Information Flow Protocols.docx

Hi,

Further revisions per discussions today. Comments welcome (and also please help fill in blanks for the right people in the working group and distribution email lists).

Annette, can you take care of sharing with Maritimes region SARA folks and Jean will you pls ensure appropriate folks in science review.

AB

Caines, Allison

Subject: TABLE TOP: NARW MAR DRAFT RESPONSE PROTOCOL (Confirmed Detection)
Location: DFO CONF Dartmouth-1ChallengerDr-VG1-LewisHKing CONF MPO

Start: Tue 4/17/2018 1:00 PM
End: Tue 4/17/2018 4:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Daley, Annette

Required Attendees: Humphrey, Donald; Niven, Sherry; Sweet, Marilyn; Grace, Michael; Waters, Christa; Prall-Dillman, Sheila; Merriman, Catherine B; Higginson, Simon; Labelle, Mark; MacDonald, Heidi; Coffen-Smout, Scott; Schaefer, Heidi

Optional Attendees: Berthier, Jacinta; King, Rhea L; Vézina, Alain; Graham, Kerri; Webster, Corey J; Moors-Murphy, Hilary; Vanderlaan, Angelia S.; Emery, Pamela; Soomai, Suzuette; Bornais, Stephen; Craig, Mark; Hayden, Jazmine; Buott-Matheson, Debra; Pye, Brad

The document we are testing is attached.



Response to
NARW in Mar R...

Update note to all invitees or attendees: pls feel free to forward the invite to anyone who you think would have an interest in attending. This session is intended to be a simple first run through this protocol, and after adjustments are made to the draft, we intend to follow up with a more complex scenario in about 2 weeks to retest this one along with other protocols.

I suggest that Comms may also want to review their Comms protocol while the rest of us program are running though the simulation against the whale response.

Please advise availability ASAP

Conference ID #

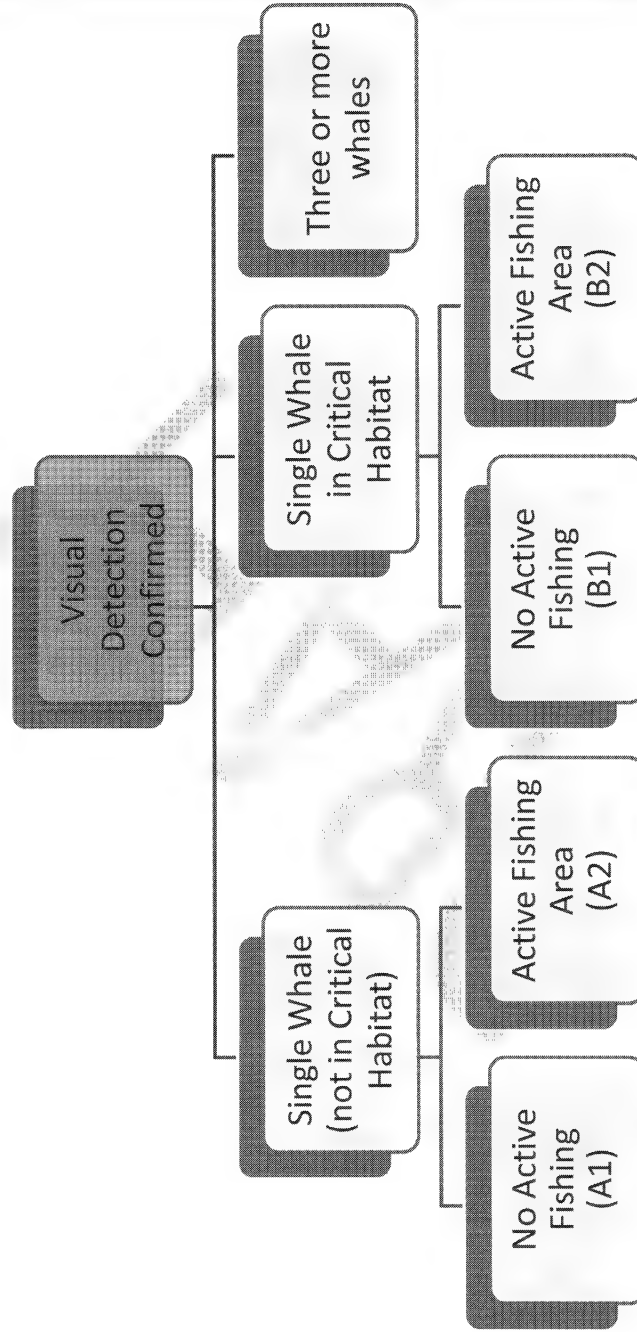
 Dial in number 1-877-413-4788
 Conference ID #

**Maritimes Region Draft Response Protocol:
Confirmed Detection of North Atlantic Right
Whales**

April 2018

Version 3

Decision Tree



North Atlantic Right Whale: Maritime Region Response

When DFO Maritimes confirms the presence of North Atlantic Right Whales (NARW) in our waters, the "Decision Tree" is used to determine a response. Unconfirmed sightings are recorded, but will not result in a directed operational response. Unconfirmed sightings will be considered when developing surveillance plans.

Step 1. Confirmation of Reported Sighting

DFO's Science Branch reviews reported NARW sightings. Reports are forwarded from multiple entities and need to be vetted. Where a sighting is confirmed, relevant information is shared via email or phone with the Marine Mammal Response Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca / (902) 221-7269

Information to include:

- Coordinates of whale(s)
- Map of sightings
- Time and date of sightings reported
- Number of whales confirmed
- Who confirmed the sighting information
- Any other relevant/important information

Commented [MS1]: Science is finalizing their procedures for NARW detection and confirmation. Once finalized this might be updated.

Step 2. Determine if in known Critical Habitat

Step 1: Review of Critical Habitat and Active Fishing Areas

Upon confirmation of a sighting, Science Branch provides Resource Management (RM) with plotted coordinates on a map. RM (with assistance from Oceans or C&P where required) will determine whether or not the confirmed sightings are in **known Critical Habitat** and whether or not they are in **active fishing areas**. The chart in *Appendix A* should be referenced for this step.

Step 2: Relay information from review

Marine Mammal Advisor will relay findings to *Distribution List*. Subject of the email should read:

- Confirmed single NARW sightings in Maritimes: in Critical Habitat; or
- Confirmed single NARW sightings in Maritimes: outside Critical Habitat.
- Confirmed NARW sightings in Maritimes: Three or more whales

Commented [MS2]: Or notify to log into Whalemapp?

GRACE - Up to science to determine if in critical habitat - not C&P's role. Suggest you clarify C&P input related to active fishing areas.

Commented [D3]: Will need to call C&P after hours re:standby if response required. . We will provide numbers

Step 3: Proceed to relevant response section

Section A: Single NARW outside Critical Habitat

Section B: Single NARW inside Critical Habitat

Section C: Three or more NARW

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Section A: Single NARW outside Critical Habitat

Determine the response scenario

The following are the two scenarios for consideration when a single whale is confirmed outside Critical Habitat:

1. Single Whale – No Active Fishing
2. Single Whale – Active Fishing Area

1. Single Whale – No Active Fishing (NO CLOSURE)

When a NARW is confirmed in an area where there is no active fishing that is NOT a known Critical Habitat, the following actions are taken:

- a) Marine Mammal Advisor to consult fisheries opening list for active fisheries and confirm with Senior Advisors/Managers that there are NO fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs responsible for the area (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.

Meeting intent:

1. Review *Whalemap* and confirmed sighting and overlay with active fishing in Maritimes.
2. Discuss options for:
 - i. Enhanced surveillance plan if required;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to critical habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of updates.

Commented [D4]: Grace - This is a area where triggers would be beneficial.

Commented [MS5]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

2. Single Whale – Active Fishing Area (NO CLOSURE)

When a NARW is confirmed in an area where there is active fishing but is NOT a known Critical Habitat, the following actions are taken:

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix B*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts.

Meeting intent:

1. Review *Whalemap* and confirmed sighting and overlay with active fishing in Maritimes.
2. Provided recommendations for:
 - i. Enhanced surveillance plan if required;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.

Commented [D6]: Grace same comments as for previous section here and going forward for similar item in action items.

Commented [MS7]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

- e) Draft Variation Order with C&P (proactively in the event that a closure is required as a next step. Not to be distributed at this step).
- f) Notice to Fishers is updated with details of pertinent information (DRAFT Notice to Fishers to be prepared). Notice to Fishers issued that a NARW has been detected, the Department is monitoring, conducting surveillance and requests harvesters to report sightings of NARW.

Commented [MS8]: Discussion: How often should this be done? Continued for 15 days?

Conservation and Protection

- a) Action Notice to Fishers via Marine Broadcast. Notice is to be repeated for a ??h/??day period.
- b) Draft Variation Order with RM

Coast Guard

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.

Commented [M59]: Who works with CCG on this?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Science

No required action

Daily Updates

Following Notice to Shipping and Notice to Fishers a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with dynamic closure and concerns from C&P
- d) Surveillance measures required

Section B: Single NARW inside Critical Habitat

Determine the response scenario

Single whale confirmed inside Critical Habitat:

1. Single Whale – No Active Fishing
2. Single Whale – Active Fishing Area

1. Single Whale in known Critical Habitat – No Active Fishing (NO CLOSURE)

The following are the responsibilities for each sector:

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix B*-attach) for active fisheries and confirm with Senior Advisors/Managers there are NOT fisheries active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor will relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).
- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts within 24h. Meeting intent:
 - a. Review *Whalemap* information of confirmed sighting and overlay with active fishing in Maritimes.
 - b. Provided recommendations for:
 - i. Enhancing surveillance;
 - ii. Gear tending requirements for adjacent fisheries;
 - iii. Define the area on a grid map (10x10 min grid) (*Appendix C*)
 1. Include a buffer zone around 10x10 grid
 - iv. Determine if upcoming fisheries openings need to be delayed
 - v. Draft Notice to Fishers for upcoming fisheries (if required).

Commented [MS10]: There is a surveillance WG that needs to be tied in here. I need more details on the whos and whats.

Commented [MS11]: Confirm with Gulf plan when finalized.

Commented [MS12]: Comment from SARMD: determine if whale is transiting/feeding and see if response would change.

Conservation and Protection

- a) Advise RM if area is of concern for ongoing or planned fishing activity in the near future (including what fishery, gear type, and any other pertinent information).

Coast Guard

- a) Distribute Notice to Shippers via the Marine Broadcast. Notice to be repeated for a (same as above) period.
- b) Define role.

Commented [MS13]: Who works with CCG on this?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Science

No required action

2. Single Whale in known Critical Habitat – Active Fishing Area (DYNAMIC AREA CLOSURE)

When a NARW is confirmed in a known Critical Habitat (*Appendix A*), fisheries will be closed and planned openings delayed. A Dynamic Closure will be implemented for a 15 day period after which time it will expire unless there are additional confirmed sightings. (*Discussion*)

Commented [MS14]: Gulf is proposing 1 NARW would trigger a closure in a foraging area, so the same proposed here but for CH

Commented [MS15]: Will we require 2 flights without sightings as was proposed in the Gulf. This might have changed.
Grace – Suggest it remains closed until varied open.

Resource Management

- a) Marine Mammal Advisor to consult fisheries opening list (*Appendix A*-attach) for active fisheries and confirm with Senior Advisors/Managers which fisheries are active in the area.
- b) Marine Mammal Advisor to inform counterparts in other Atlantic Regions and NHQ of situation.
- c) Marine Mammal Advisor is responsible to relay information to the *Distribution List* and include C&P Detachment Supervisors and Area Chiefs (EMAIL LIST TO BE PROVIDED BY C&P).

- d) Call a meeting of *Distribution List* and request those on the list to invite relevant experts as soon as possible.

Commented [MS16]: More urgent than other scenarios

- e) Meeting Intent:

- a. Review *Whalemap* information of confirmed sighting and overlay with active fishing in Maritimes.
- b. Provided recommendations for:
 - i. Detail list of fisheries affected by closure
 - ii. Define the closed area on a grid map (10x10 min grid)(Appendix C)
 1. Include a buffer zone around 10x10 grid
 - iii. Draft Variation Order with C&P for Dynamic Closure
 - iv. Notice to Fishers is updated with details of pertinent information (DRAFT Notice to Fishers to be prepared and included in Appendix D). Notice to Fishers of the closed area due to the presence of NARW in known Critical Habitat.
 1. Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Consideration given if weather conditions are not favorable and Notice to Fishers to be worded to take this into account).
 - v. Enhancing surveillance plan developed
 - vi. Determine what upcoming fisheries will be impacted by closure and may require delayed opening;
 - vii. Draft Notice to Fishers for upcoming fisheries (to have proactively if required).
 - viii. Implement gear tending requirements for fisheries in buffer zone;

Commented [MS17]: Confirm with Gulf plan when finalized.

Commented [MS18]: Amend based on Gulf plan once finalized

Commented [MS19]: What about if it is more

Commented [D20]: Grace - Need to determine our capacity and triggers.

Conservation and Protection

- a) Action Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 15 day period.
 - a. Once there have been [2 flights] without sightings at the end of the 15 day period, the fishery can reopen. (confirm) see above comment - Grace
- b) Draft Variation Order with RM

Coast Guard

- a) Contact Transport Canada counterparts and advise of Notice to Fishers

Commented [MS21]: RM needs clarity on what information is shared with CCG and when, and if whalemap is shared with TC/CCG, etc. WHO is the contact for CCG and TC?

Communications

- a) Communications materials are prepared and circulated through regional/national approvals. Upon approval and as the variation order is published, materials are distributed and media contacts are notified.

Science

No required action

Daily Updates

Following the Notice to Fishers being distributed, a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:

- a) Subsequent sightings of the same whale (if identified)- consult *Whalemap*
- b) Additional confirmed sightings of other NARW
- c) Confirm compliance with Dynamic Closure and concerns from C&P
- d) Further surveillance measures for the closed areas
- e) Further surveillance of areas surrounding the closed area

Commented [D22]: Grace same comments are before.

Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15 day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

Commented [D23]: As before leave closed and vary open???

Section C: Three or more NARW outside Critical Habitat Area

In the event that an aggregation is confirmed, an automatic dynamic closure for the area will be put in place. This may require the closure of active fishing operations and a delay of openings of other fisheries.

Once confirmed Option B2 will be applied. (Single Whale in known Critical Habitat – Active Fishing Area (DYNAMIC AREA CLOSURE))

Additional Considerations

The following questions will need to be discussed with relation to the specifics of the situation. Some of the questions are not likely able to be answered.

- a. What does the Department intend to do with possible duplicate sightings? i.e. 3 whales reported but we can't confirm they are not the same whale? Err on the side of caution?
- b. Are NARWs believed to be foraging or transiting through the area?
- c. What gear type currently being used in the area poses a risk to NARWs?
 - i. List those fisheries that are active and gear types which do/do not pose a risk.
- d. Is it advisable to close fisheries? If so in which area (refer to map with grid system)
 - i. If closure takes place, should fisheries in adjacent areas be put on alert?
 - ii. Should they be asked to not leave gear unattended? What does this mean for different gear types?
- e. Is it more harmful to leave gear in place or require fleets to remove their gear?
 - i. If gear is determined to be a risk, how much time should be given for gear to be removed? (72h adequate?)
 - ii. Should it be a staggered removal so not as many vessels are hauling at the same time?
- f. Should fisheries be closed, will we consider the NOAA model of 15 day closures? After 15 days the closure could automatically expire if no other NARW are sighted?
- g. Will we remove the closure early if we have confirmation that whales have left the area?

Commented [Jaz24]: To be fleshed out in workshop.

Commented [Jaz25]: See comment Jaz18.

Commented [Jaz26]: See comment Jaz18.

Commented [Jaz27]: See comment Jaz18.

Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott@Matheson@dfo-mpo.gc.ca
Science	Pamela Emery	(902) 426-7451	Pamela.Emery@dfo-mpo.gc.ca
	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437	Catherine.Merriman@dfo-mpo.gc.ca
	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
Oceans	Alternate?		

Important numbers (not distribution list)

CWRT: 1-506-752-1985/1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- Marine Mammals and Whales
XMARWhaleSightings@dfo-mpo.gc.ca
1-844-800-8568
[Whale Alert mobile application](#)
- Sea Turtles
Canadian Sea Turtle Network
info@seaturtle.ca
1-888-729-4667

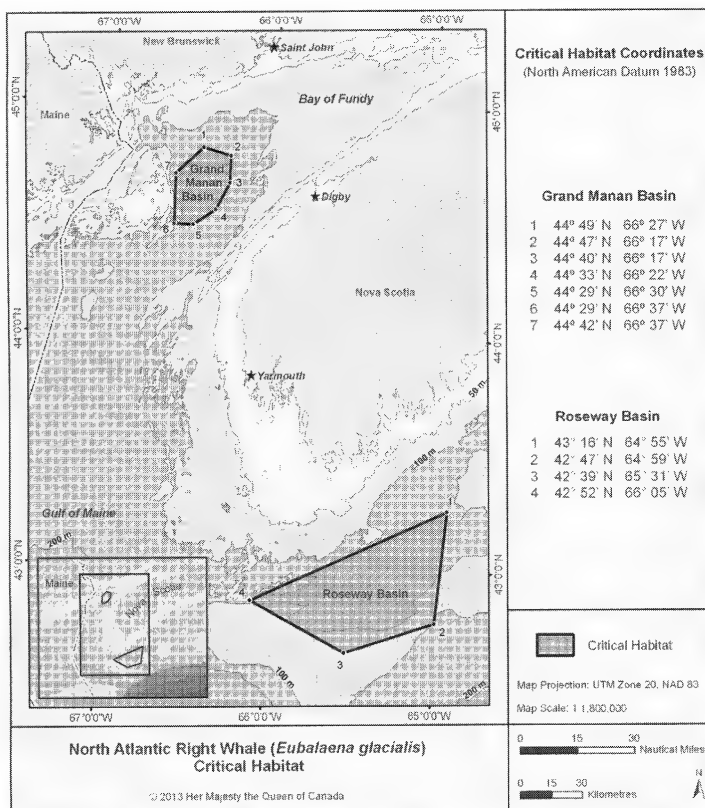
To report dead and distressed marine animals:

- Marine Animal Response Society
marineanimalresponse@gmail.com
1-866-567-6277
VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

Appendix A: North Atlantic Right Whale Critical Habitat



From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters

Appendix B: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4WX5z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round					Yes
4Vn	Atlantic halibut	Longline		Year-round					No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	May 9	Jul 9				No
LFA 29	Lobster	Traps/pots	63 licences	May 10	Jul 10				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No
LFA 33	Lobster	Traps/pots	695 licences	Nov 26	May 31				No
LFA 34	Lobster	Traps/pots	979 licences	Nov 26	May 31				No
LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31				No
LFA 36	Lobster	Traps/pots	177 licences	Nov 13	Jun 29				No
LFA 38	Lobster	Traps/pots	136 licences	Nov 13	Jun 29				No
Grey Zone	Lobster	Traps/pots		Jun 30	Nov 09				Yes
LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31				Yes
	Hagfish	Traps/pots		(may be closed this year) Apr 12	Oct 01				Yes
	Herring	Gillnet		Year round but active Summer/Fall					No
	Whelk/inshore	Traps		Late Summer/Fall					No
	Whelk/offshore	Traps	700 traps	Late Summer/Fall					No

	Large Pelagics	Longline	Approx 45 active licences	Year round but active May-Nov			Yes
	Mackerel	Gillnet		Apr 01			No
CB Area	Mackerel	Trapnet					No
CB Area	Herring	Trapnet		Early Summer-November			No
CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 14 – May 13 & July 21 – Aug 18			No
CFA 23	Snow crab	Traps/pots	62 licences	Apr 01	Aug 31		Yes
CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31		Yes
CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31		Yes
LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17		
LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10		
LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31		
LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31		No
LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31		
LFA 29,31a,31b,32	Rock Crab	Traps	12 licences	Aug 07	Dec 31		
LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22		
LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07		
LFA 36	Rock Crab	Traps	5 licences	Mar 01	Dec 31		No
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Mar 01	Dec 31		Yes

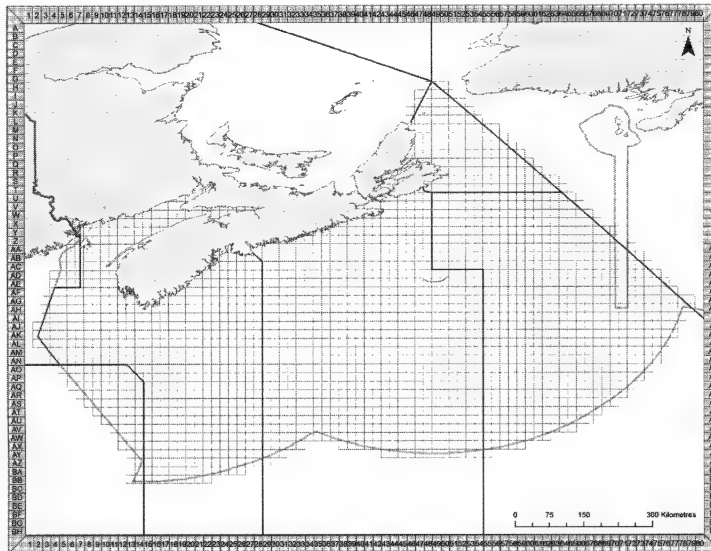
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Note: (For 4WVX5 groundfish) VMS is required on all EA and ITQ fleets, as well as licences in the Fixed Gear <45' fleet authorized to use a vessel greater than 34'11", unless they are headline-only.

Green = updated

Blue = active fishery, may require coverage

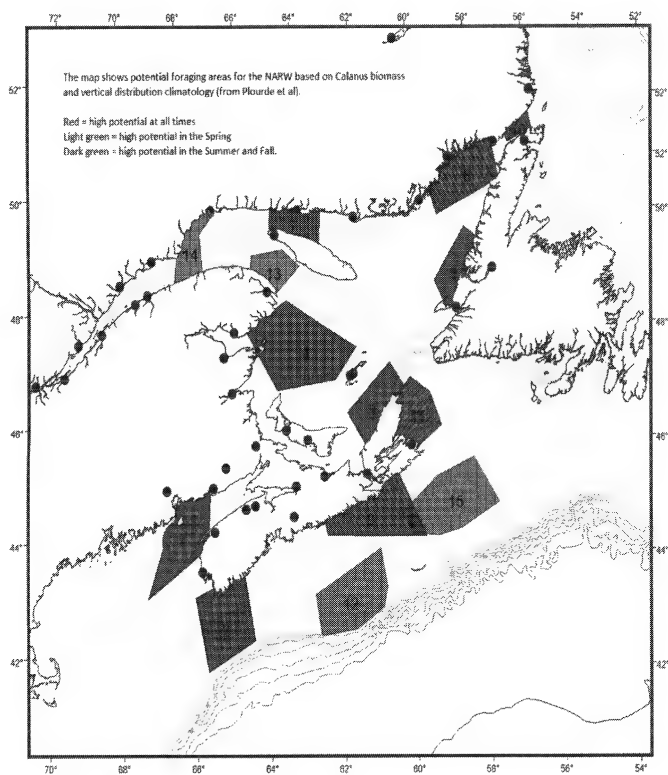
Appendix C: Maritimes Region in 10x10 minute grid



Appendix D: Notice to Fisheries (draft)

No information has been removed or severed from this page

For reference only: Predictive Map of Potential Foraging Areas by Time of Year



Waters, Christa

From: Daley, Annette
Sent: April-24-18 4:58 PM
To: Berthier, Jacinta; Waters, Christa; Sweet, Marilyn
Cc: Merriman, Catherine B
Subject: FYI: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires
Attachments: 20180424-PROTOCOLE DE FERMETURE EN CAS DE PRÉSENCE.DOCX
Importance: High

Quebec decided to do what we are proposing to do for the 2 critical habitat areas, since the decision/triggers (eg one whale, three whale) for immediate actions on NARW were not approved for anything other than snow crab fisheries in specific areas in the GSL. So I asked Maryse for a copy of their BN which was just drafted – so we could try to have a similar approach to the BN. It is attached fyi – for those who can read French. Marilyn, I know a draft of yours for Maritimes Region came in today – thanks.

Annette

From: Lemire, Maryse
Sent: Tuesday, April 24, 2018 4:38 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>
Subject: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires
Importance: High

Bonjour,

Voici un protocole de fermeture temporaire de la région du Québec pour les pêches autres que la pêche du crabe du sud du Golfe. L'équipe a élaboré cette approche nécessaire surtout pour le pêches en eau peu profonde comme le homard en Gaspésie. Le protocole s'applique à toutes les pêches à engins fixes. Les zones côtières du homard sont très serrées et les permis sont attribués dans chaque zone et un pêcheur ne peut pêcher dans une autre zone. Le protocole tient compte des risques de trouver des baleines dans les eaux peu profondes et décrit les actions à prendre.

Notre DGR a partagé cette ébauche avec Sylvie Lapointe en début d'après-midi puisque cela nécessitera certainement un briefing avec le bureau du Ministre une fois que tu auras revu. La pêche au homard en Gaspésie débute le 28 avril pour certaines zones et le 5 mai pour les autres.

Si vous avez des commentaires ou des enjeux à soulever, merci de m'en faire part rapidement.

Maryse

Maryse Lemire

Directrice régionale de la gestion des pêches
Pêches et Océans Canada / Gouvernement du Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tél.: 418-648-5783

Fisheries Management Regional Director
Fisheries and Oceans Canada / Government of Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tel.: 418-648-5783



PROTOCOLE DE FERMETURE TEMPORAIRE POUR LES PÊCHES AUTRES QUE LE CRABE DES NEIGES DU SUD DU GOLFE EN CAS DE PRÉSENCE DE BALEINE NOIRE DE L'ATLANTIQUE NORD

RÉGION DU QUÉBEC

SAISON DE PÊCHE 2018

Équipe de rédaction
Antoine Rivierre Dario Lemelin
Personnes consultées
Magalie Hardy Maité Chavez Andréa Morden Bernard Leblanc Bernard Morin Ali Magassouba Suzie Boudreau

No information has been removed or severed from this page

Mise en contexte

Suite aux événements de mortalité de baleine noire en 2017, de nouvelles mesures de gestion ont été mises en place afin de réduire les risques d'interaction avec les pêches.

Parmi les mesures, certaines concernent :

- Les modifications aux engins de pêche;
- Les obligations de déclaration (engins de pêche perdus / Interactions avec baleines);
- Les fermetures de zones de pêche (statiques et temporaires).

Ces mesures ont été présentées dans une note de service à l'intention du Directeur général régional du Québec le 20 février 2018.

Le 28 mars 2018, le ministre a annoncé les nouvelles mesures de gestion qui seront mises en place dans la zone de pêche au crabe des neiges 12. Parmi les différentes mesures, le ministère a annoncé qu'il fermera des zones spécifiques aux activités de pêche afin de prévenir des incidents impliquant des baleines noires de l'Atlantique Nord, tel que les empêtements.

Observations historiques des baleines noires dans le golfe du Saint-Laurent

Depuis 2016, le nombre d'observations de baleine noire a augmenté considérablement. Dans les zones de pêche du Québec, les observations se concentrent dans 2 principaux secteurs :

- **Secteur Sud**, incluant le banc des orphelins, l'entrée de la Baie-des-Chaleurs, Miscou et banc Bradel;
- **Secteur Nord**, incluant Pointe-Ouest Anticosti, banc Parent et détroit de Jacques-Cartier.

Plus sporadiquement, des observations de baleine noire ont été rapportées du côté nord de la Gaspésie, mais la plupart n'ont pas été confirmées.

Protocole de fermeture annoncé dans la pêche au crabe du sud du Golfe

Zone de fermeture statique

Le MPO appliquera une fermeture statique dans une zone où 90% des observations de baleine noire de l'Atlantique Nord ont eu lieu en 2017 afin de libérer une grande zone d'engins de pêche, réduisant ainsi le risque d'interaction pour la baleine noire de l'Atlantique Nord avec les engins. La fermeture sera en vigueur à partir du 28 avril 2018 et **concernera l'ensemble des pêches qui utilisent des engins fixes et des casiers reliés par une corde verticale à une bouée en surface.**

Zones d'alimentation potentielles de la baleine noire et fermetures temporaires.

Identifiées à partir d'un avis des sciences, ces zones ont été initialement définies en 2017 pour orienter les efforts de surveillance et de suivi des baleines noires.

Les zones d'alimentation potentielles ont été définies sur la base des concentrations de copépodes au-dessus d'un seuil permettant des gains énergétiques lors de l'alimentation de baleines noires.

En 2018, ces zones servent de base pour la mise en œuvre du protocole de fermetures temporaires.

Pour le **crabe du sud du golfe UNIQUEMENT**, 2 scénarios sont possibles (source : PPAC Crabe du Sud du golfe):

1. Lorsqu'une baleine noire de l'Atlantique Nord est observée à l'**intérieur** d'une zone soumise à des fermetures temporaires (voir carte ci-dessous), le MPO fermera un total de neuf quadrilatères afin de fournir une zone tampon autour du lieu d'observation pour tenir compte du déplacement des baleines.
2. Si la baleine noire est observée à l'extérieur des zones d'alimentation potentielles, aucune fermeture n'est déclenchée. Cependant un avis de vigilance est envoyé à l'industrie.

Aucune décision n'a été annoncée en date du 23 avril à ce sujet.

Après la publication du PPAC pour la pêche au crabe de la zone 12, une recommandation a été adressée au sujet des quadrilatères situés en bordure des zones soumises à des fermetures temporaires. Il est recommandé, lorsque la zone de fermeture temporaire de 9 quadrilatères est partiellement incluse dans la zone potentielle d'alimentation, que la fermeture ne s'applique qu'à la partie de la zone située à l'intérieur de celle-ci.

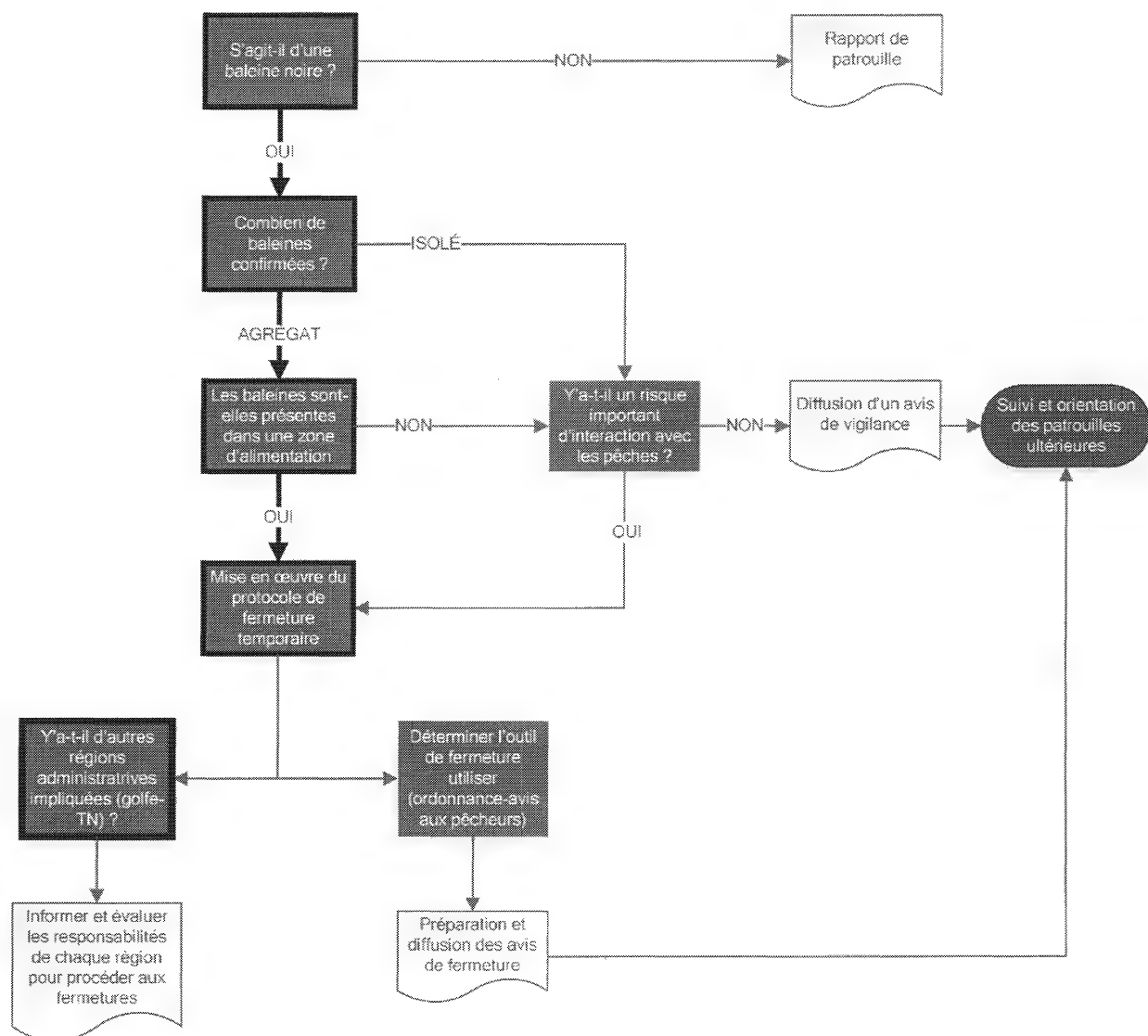
Protocole de fermeture proposé pour les autres pêches de la région du Québec

Les mesures annoncées le 28 mars par le ministre concernant uniquement les pêcheurs de crabe des neiges du sud du Golfe. Considérant que les baleines ont été observées ailleurs que dans la ZPC 12 en 2016 et en 2017, il est essentiel de déterminer des mesures de gestion pour les autres flottilles afin de minimiser les risques pour la baleine noire. Cependant, le protocole de fermeture doit prendre en considération les particularités de certaines pêcheries et ne pas imposer un fardeau qui mettrait en péril la viabilité économique des flottilles côtières.

Considérations stratégiques

- Pour la rédaction du protocole de fermeture temporaire de la région du Québec, nous avons utilisé comme point de départ les annonces faites par le ministre pour le crabe des neiges du sud du golfe.
- La totalité des signalements de baleine noire en 2016 et 2017 a été faite dans des zones où la profondeur est supérieure à 25 brasses. Bien que théoriquement, cette espèce peut être sporadiquement observée à plus faible profondeur, aucun signalement de l'espèce n'a été fait dans les zones côtières du Québec. Lors d'une réunion tenue avec l'industrie des pêches québécoises, les scientifiques du Ministère ont précisé que le risque d'interaction avec les baleines noires dans les zones moins profondes que 25 brasses était très faible, mais le tout est sujet à confirmation avec l'avis final des sciences.
- En 2017, tous les cas d'empêchements documentés (à l'exception d'un cas non confirmé) impliquaient des casiers de pêche au crabe des neiges.
- L'application du protocole de fermeture temporaire tel qu'annoncé pour le crabe du sud du Golfe pourrait impliquer la fermeture totale de sous-zones de pêche au homard dans la Baie-des-Chaleurs pendant 15 jours (soit 1/5^{ème} de la saison de pêche).
- Contrairement aux pêcheurs crabe des neiges, les pêcheurs de homard (Gaspésie) n'auraient pas tous la possibilité de relocaliser leur effort de pêche lors de la fermeture d'une sous-zone de pêche au homard en raison de l'interdiction de pêcher dans une autre sous-zone que celle pour laquelle un pêcheur détient un permis de pêche.
- À partir du mois de juin, la totalité des activités de pêche au homard dans la Baie-des-Chaleurs est réalisée dans une bande côtière d'environ un mile de large et à des profondeurs généralement inférieures à 10 brasses.
- Le 15 décembre 2017, le ministère a annoncé la création de plusieurs zones visant la conservation des coraux et des éponges dans l'estuaire et le nord du golfe du Saint-Laurent. L'utilisation des engins qui touchent le fond incluant les filets maillants et les casiers est déjà interdite dans ces zones.

Diagramme décisionnel pour enclencher le protocole de fermeture temporaire



Protocole pour la fermeture temporaire des zones de pêche

Comme pour le crabe des neiges de la zone 12, la région du Québec mettra en œuvre un protocole pour la gestion dynamique des pêches qui fermera temporairement des zones de pêche lorsque des baleines noires seront observées.

La région du Québec utilisera comme unité de fermeture des quadrilatères de 10 minutes de longitude par 10 minutes de latitude dont la position des baleines serait le point central.

1. Observations à l'intérieur d'une zone potentielle d'alimentation

Lorsqu'un agrégat de baleine sera observé à l'intérieur d'une zone potentielle d'alimentation, telle que définie par les sciences et à une profondeur de plus de 25 brasses :

- La région du Québec fermera un total de 4 quadrilatères (20'x20') pendant une période minimale de 15 jours. La taille de la zone de fermeture prend en considération les contraintes géographiques (détroit de Jacques-Cartier, Estuaire du Saint-Laurent, Baie-des-Chaleurs) et le niveau de risque jugé moins élevé dans les zones côtières;
- Si la zone de fermeture proposée chevauche partiellement des secteurs côtiers où la profondeur est inférieure à 25 brasses, le protocole de fermeture se limiterait aux profondeurs de plus de 25 brasses.

Lorsqu'un agrégat de baleine sera observé à l'intérieur d'une zone potentielle d'alimentation, telle que définie par les sciences et à une profondeur de moins de 25 brasses :

- La région du Québec fermera un total de 4 quadrilatères (20'x20') pendant une période minimale de 15 jours.

Lorsqu'un individu isolé est observé à l'intérieur d'une zone potentielle d'alimentation :

- Une évaluation préalable des risques d'interaction incluant l'analyse des pêches en activité et la proximité des activités de pêche sera réalisée;
- Si le risque d'interaction est jugé faible, le protocole de fermeture sera déclenché.
- Si le risque est jugé très faible, un avis de vigilance sera diffusé, sans qu'il n'y ait de fermeture de pêche;
- Suite à la publication de l'avis de vigilance, les efforts de surveillance aérienne seront orientés dans le secteur d'observation de l'individu.

2. Observations à l'extérieur d'une zone potentielle d'alimentation

Lorsque des individus (agrégats ou isolés) sont observés à l'extérieur des zones potentielles d'alimentation :

- Une évaluation des risques d'interaction incluant l'analyse des pêcheries en activité et la proximité des activités de pêche sera réalisée;
- Si le risque d'interaction est jugé faible, le protocole de fermeture sera déclenché. Cette approche est plus contraignante que les mesures annoncées dans le sud du Golfe;
- Si le risque est jugé très faible, un avis de vigilance sera diffusé, sans qu'il n'y ait de fermeture de pêche;

- Suite à la publication de l'avis de vigilance, les efforts de surveillance aérienne seront orientés dans le secteur d'observation de l'individu.

3. Évaluation des risques d'interaction

Considérant que plusieurs observations de baleine noire ont été faites à l'extérieur des zones potentielles d'alimentation, la région du Québec envisage la possibilité de procéder à une fermeture temporaire des pêches même lorsque des individus sont observés à l'extérieur de celles-ci. Pour cela, les facteurs qui seront pris en compte dans le cadre de l'analyse de risque sont :

- Le nombre d'individus observés;
- Le nombre de pêches ouvertes dans la zone où les baleines sont observées;
- Le type d'engins de pêche déployés;
- Le nombre d'engins de pêche déployés;
- La proximité des activités de pêche par rapport à la position des baleines;
- La période pendant laquelle les baleines fréquentent la zone.

4. Protocole de réouverture

Considérant les différents délais pour procéder à la fermeture d'une zone de pêche et pour retirer les engins de pêche (72 heures), une fermeture d'une durée minimale de 15 jours après la dernière observation de baleine est proposée.

Cependant, dans le cadre des pêches côtières très localisées, la région du Québec pourrait procéder à une réouverture hâtive de la zone de pêche lorsque le ministère aura la garantie que les baleines ont quitté la zone fermée. Cette garantie pourra être obtenue si des agents des pêches (ou autres observateurs de baleines qualifiés) peuvent affirmer après avoir patrouillé le secteur que les baleines ne sont plus présentes.

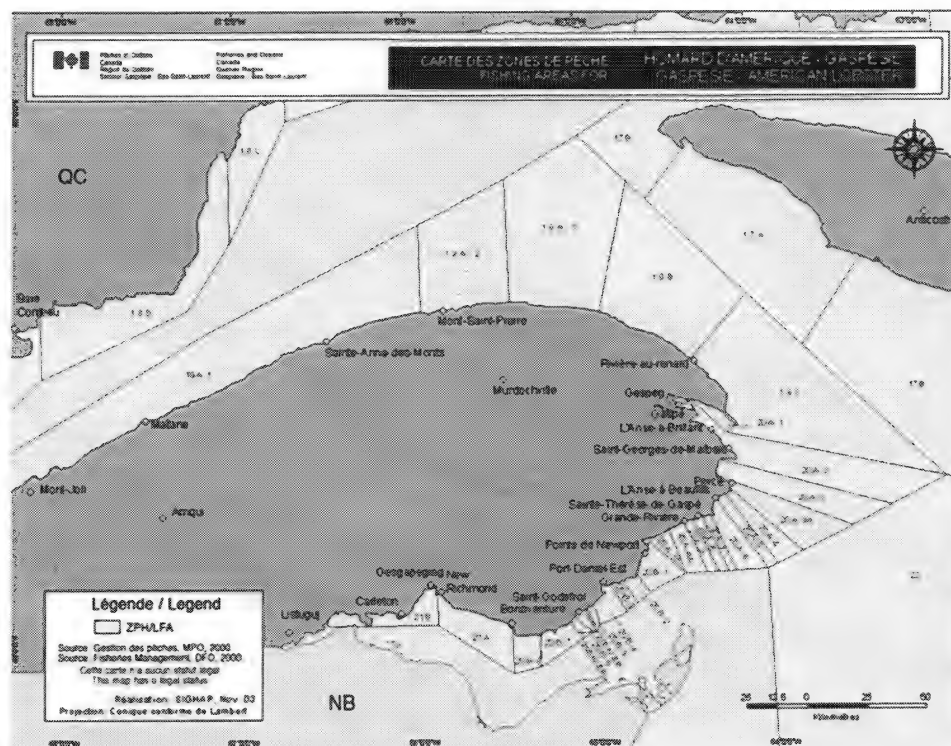


Figure 1: Sous-zones de pêche au homard de la région du Québec

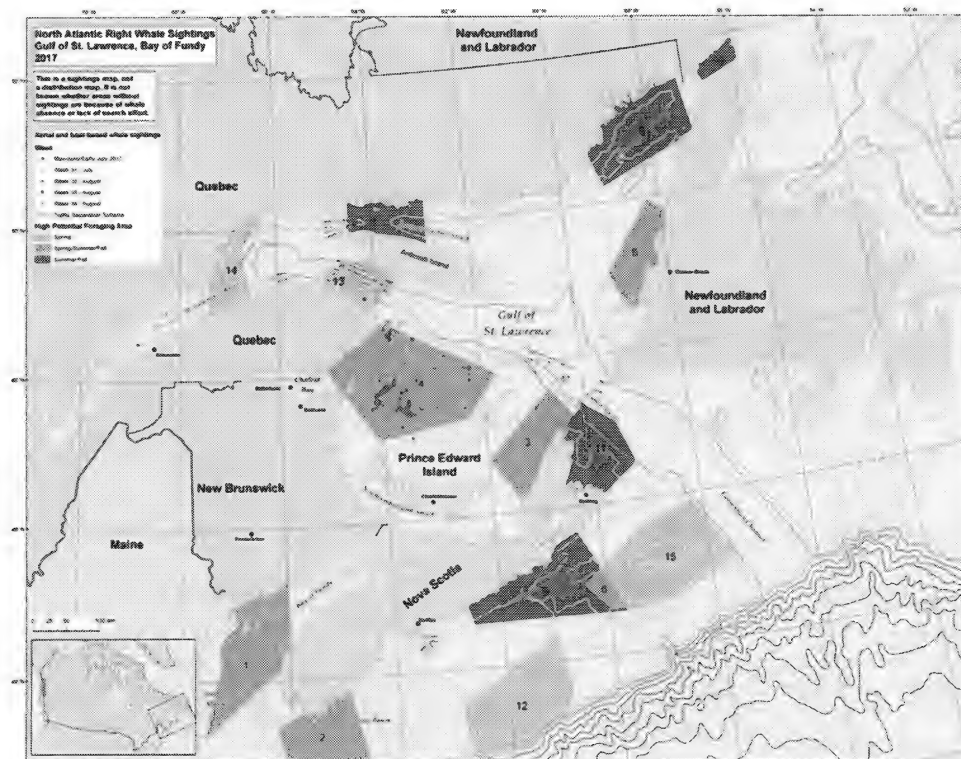
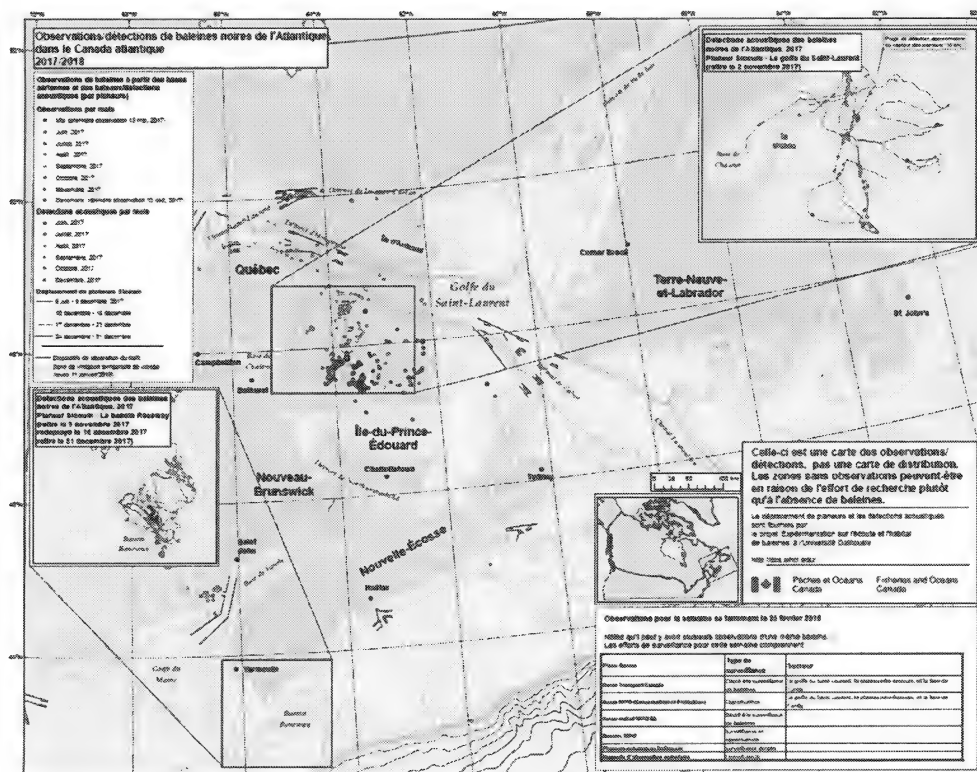


Figure 2: Observations de baleine noire dans le golfe du Saint-Laurent en 2017 et zones potentielles d'alimentation (source: Plourde et al.)



000600

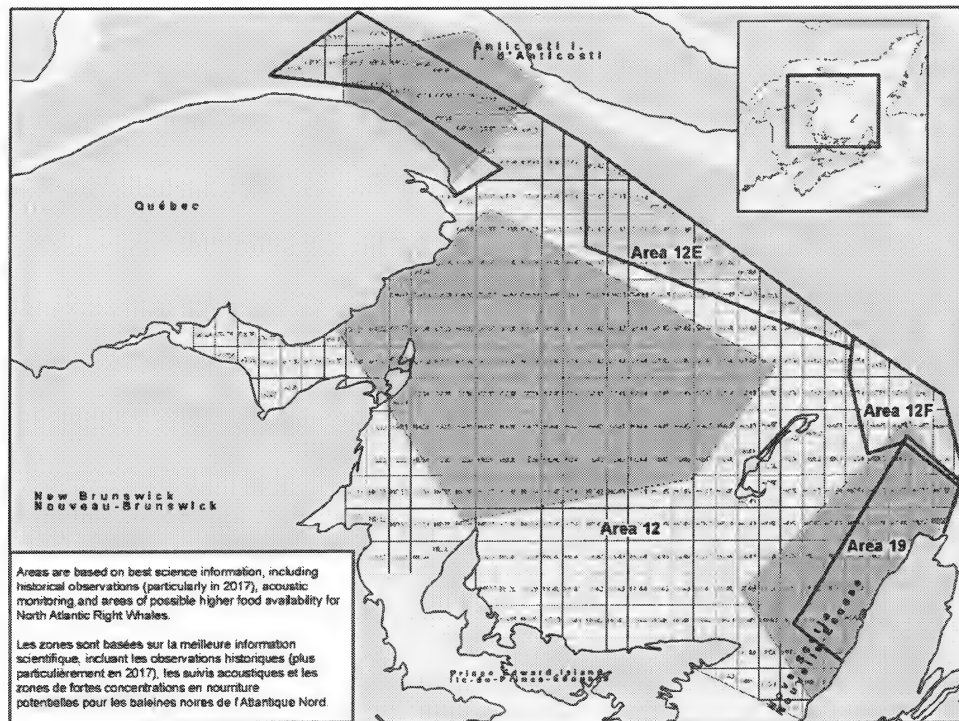
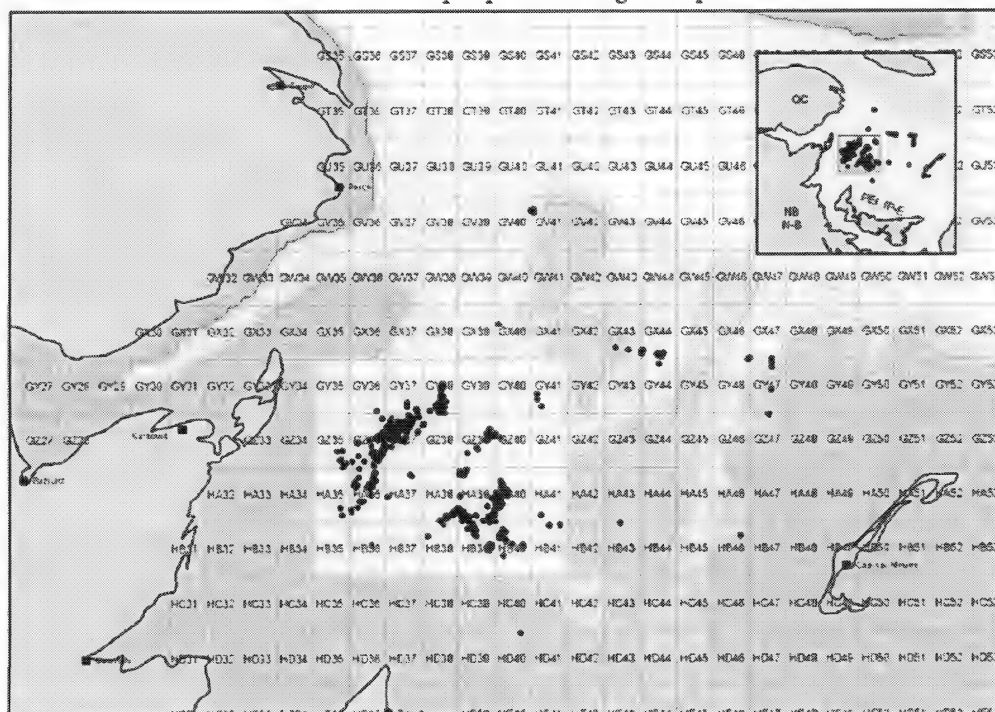


Figure 4: Carte démontrant les quadrilatères utilisés lors du protocole de crabe mou, ainsi que les zones d'alimentation dans le sud du golfe.



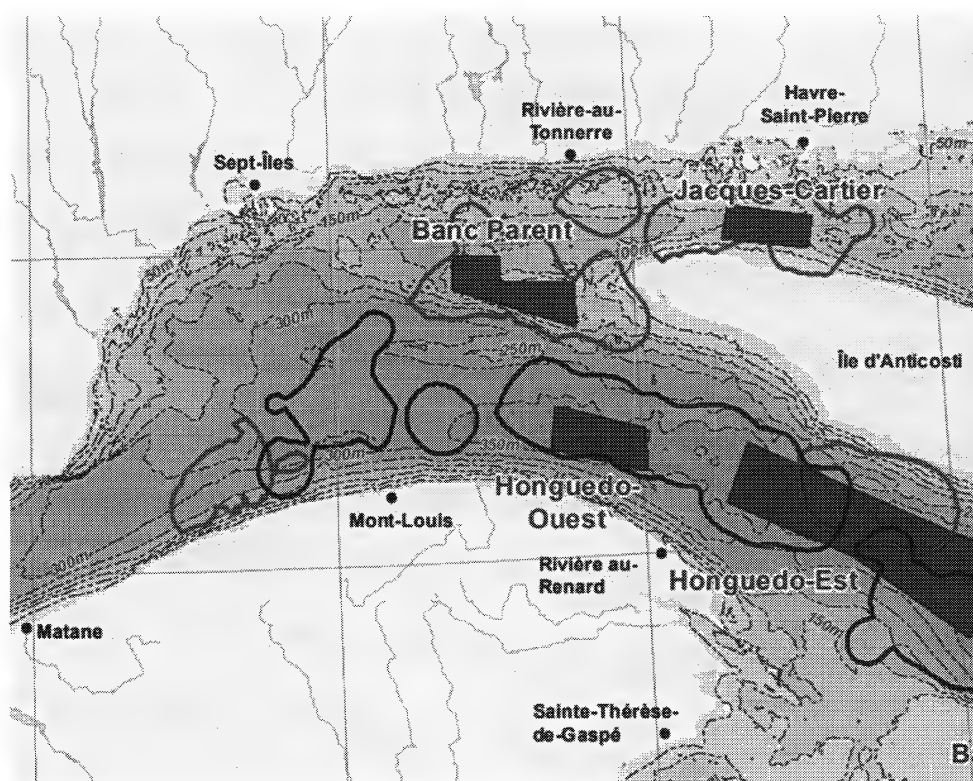


Figure 6 : Zones de conservation des coraux et des éponges fermées aux activités de pêche avec des engins qui touchent le fond.

Waters, Christa

From: Sweet, Marilyn
Sent: April-24-18 5:06 PM
To: Berthier, Jacinta; Daley, Annette; Waters, Christa
Cc: Merriman, Catherine B
Subject: RE: FYI: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

This is great to have; thanks for sending along.

I'll try and make things consistent where we can and include in the BN and protocol documents.

Mar

From: Berthier, Jacinta
Sent: April-24-18 5:02 PM
To: Daley, Annette; Waters, Christa; Sweet, Marilyn
Cc: Merriman, Catherine B
Subject: Re: FYI: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Thanks. Annette. I received this from Denis as well today. Seems they want comments from other regions.
JB

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Daley, Annette
Sent: Tuesday, April 24, 2018 4:58 PM
To: Berthier, Jacinta; Waters, Christa; Sweet, Marilyn
Cc: Merriman, Catherine B
Subject: FYI: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Quebec decided to do what we are proposing to do for the 2 critical habitat areas, since the decision/triggers (eg one whale, three whale) for immediate actions on NARW were not approved for anything other than snow crab fisheries in specific areas in the GSL. So I asked Maryse for a copy of their BN which was just drafted – so we could try to have a similar approach to the BN. It is attached fyi – for those who can read French. Marilyn, I know a draft of yours for Maritimes Region came in today – thanks.

Annette

From: Lemire, Maryse
Sent: Tuesday, April 24, 2018 4:38 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>
Subject: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires
Importance: High

Bonjour,

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Notre DGR a partagé cette ébauche avec Sylvie Lapointe en début d'après-midi puisque cela nécessitera certainement un briefing avec le bureau du Ministre une fois que tu auras revu. La pêche au homard en Gaspésie débute le 28 avril pour certaines zones et le 5 mai pour les autres.

Si vous avez des commentaires ou des enjeux à soulever, merci de m'en faire part rapidement.

Maryse

Maryse Lemire

Directrice régionale de la gestion des pêches
Pêches et Océans Canada / Gouvernement du Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tél.: 418-648-5783

Fisheries Management Regional Director
Fisheries and Oceans Canada / Government of Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tel.: 418-648-5783



Caines, Allison

From: Daley, Annette
Sent: Wednesday, April 25, 2018 6:53 PM
To: Berthier, Jacinta; Waters, Christa; Sweet, Marilyn
Cc: Merriman, Catherine B; Humphrey, Donald; Moors-Murphy, Hilary
Subject: FYI only: 20180425-PROTOCOLE DE FERMETURE EN CAS DE PRÉSENCE.2.0.docx

Quebec proposing a mechanism for dynamic closures within GSL. We will use this as a reference what we propose for the Mar critical habitat areas.

Annette Daley
A/Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Annette.Daley@dfo-mpo.gc.ca |
Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directrice régionale par interim, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Annette.Daley@dfo-mpo.gc.ca |
Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>
Sent: Wednesday, April 25, 2018 6:39 PM
To: Lemire, Maryse; Quinn, Frank; Daley, Annette; Lambert, Robert; Vincent, Patrick
Cc: Gros-Louis, Denis; Blanchard, Tony; LeCouffe, Marc; Berthier, Jacinta; Rivierre, Antoine; Naud, Marc; Boudreau, Suzie; Lemelin, Dario
Subject: Re: 20180425-PROTOCOLE DE FERMETURE EN CAS DE PRÉSENCE.2.0.docx

I think we did agree that the temporary closure in waters less than 20 fathoms would apply if the whale were in those waters.

I have requested a mino briefing

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Lemire, Maryse
Sent: Wednesday, April 25, 2018 5:09 PM
To: Quinn, Frank; Daley, Annette; Lambert, Robert; Burns, Adam; Vincent, Patrick
Cc: Gros-Louis, Denis; Blanchard, Tony; LeCouffe, Marc; Berthier, Jacinta; Rivierre, Antoine; Naud, Marc; Boudreau, Suzie; Lemelin, Dario
Subject: TR: 20180425-PROTOCOLE DE FERMETURE EN CAS DE PRÉSENCE.2.0.docx

Bonjour,

Suite à l'appel interrégional de ce midi avec l'administration centrale, voici le protocole de fermeture temporaire modifié en mode révision pour vous aider à identifier les principaux changements.

Les modifications importantes sont :

1. Comme Adam l'a précisé, la zone de fermeture permanente ne s'appliquerait pas aux flottilles qui surveillent en permanence leurs engins de pêche (tended gear);
2. La notion d'individu isolé vs. agrégat a été retirée;
3. La zone de fermeture temporaire serait de 9 quadrilatères traditionnellement utilisés pour la fermeture du crabe mou au lieu de 4 tel que proposé initialement;
4. Le protocole de fermeture temporaire ne s'appliquerait pas aux eaux moins profondes que 20 brasses (25 initialement).

We will wait for MINO's approval before we release any Notice to Fisherman concerning these management measures.

Maryse

Maryse Lemire

Directrice régionale de la gestion des pêches
Pêches et Océans Canada / Gouvernement du Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tél.: 418-648-5783

Fisheries Management Regional Director
Fisheries and Oceans Canada / Government of Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tel.: 418-648-5783



Waters, Christa

From: Doherty, Penny
Sent: April-25-18 2:48 PM
To: Berthier, Jacinta; Waters, Christa; Sweet, Marilyn; MacDonald, Carl
Cc: Merriman, Catherine B; Daley, Annette
Subject: RE: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Hi,

The Voluntary Standard Practices that the FG<45' groundfish fleet developed to reduce entanglements has the following under Operational Practices:

- When safe and practical, tend gear while it is set so that entanglements can be avoided or spotted immediately.
- Normally, the vessel will remain at sea in the vicinity of the set fixed gear so that entanglements can be avoided or spotted immediately.

I don't know the extent to which this is currently being implemented but the fleet must have thought it was feasible to do so given that they identified it in their voluntary measures. However, even if they are able to tend their gear, would we want to take the risk?

Cheers, Penny

From: Berthier, Jacinta
Sent: April-25-18 2:20 PM
To: Waters, Christa; Sweet, Marilyn; Doherty, Penny; MacDonald, Carl
Cc: Merriman, Catherine B; Daley, Annette
Subject: RE: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Hi All,

I am on a national call now with Annette and folks from other regions, discussing potential closures we may put in place based on a 'national' approach to all fixed gear fisheries when NARW are present.

We have been asked to confirm if our Halibut and other fixed gear groundfish fisheries could be permitted to proceed in a 'potentially' closed area due to the presence of NARW - based on their ability to tend the gear the entire time it is set (or set fewer strings of gear).

If we do not feel there is potential for harvesters to tend their gear / stay within sight of all set gear to note if the whales present are near their gear, we should flag that, with the caveat that even if the industry could comply, it may need to be voluntarily as there is no mechanism to amend CoL or issue a VO that limits the amount of gear set at a time.

There is also some discussion related to the 20 (or 25) fathom contour as a means of delineating an area that would potentially be closed if a NARW was detected as a dynamic measure.

Short timeline for getting comments back, apparently within the hour, but we will continue to note that we are submitting a memo for decision that would include a proposed protocol to outline considerations for responding to NARW presence in active fixed gear fishing areas.

Appreciate any comments you have to share.

Thanks,
Jacinta

From: Daley, Annette

Sent: Wednesday, April 25, 2018 12:25 PM

To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>

Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>

Subject: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

From: Burns, Adam

Sent: Wednesday, April 25, 2018 11:59 AM

To: Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>

Cc: Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>

Subject: RE: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Hi,

Thanks for sharing this. It is a really good start.

I think there are a few elements to the protocol that will need some Atlantic-wide consideration, and a couple of elements don't reflect the pan-Atlantic protocols that we have all agreed to. I would ask others to review as well in case I have missed something.

- Page 3 last paragraph – I think we have agreed that for Atlantic halibut that like last year fishing could continue with the requirement that gear be tended.
- Page 4 document indicates that measures apply to southern gulf crab only, however the Min memo (GCCMS 2018-702-00026) says in TAB 5 that static and dynamic closures will apply to fixed gear fisheries.
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Finally, I think we need to ensure we are all on the same page regarding which potential foraging areas are subject to the dynamic closures. Is it just the three in figure 4 on page 11, or should we include others (again, requiring MINO approval)?

I have scheduled a call for 12:30 Ottawa time to discuss.

Adam

From: Lemire, Maryse

Sent: April 24, 2018 3:38 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>

Subject: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Importance: High

Bonjour,

Voici un protocole de fermeture temporaire de la région du Québec pour les pêches autres que la pêche du crabe du sud du Golfe. L'équipe a élaboré cette approche nécessaire surtout pour les pêches en eau peu profonde comme le homard en Gaspésie. Le protocole s'applique à toutes les pêches à engins fixes. Les zones côtières du homard sont très serrées et les permis sont attribués dans chaque zone et un pêcheur ne peut pêcher dans une autre zone. Le protocole tient compte des risques de trouver des baleines dans les eaux peu profondes et décrit les actions à prendre.

Notre DGR a partagé cette ébauche avec Sylvie Lapointe en début d'après-midi puisque cela nécessitera certainement un briefing avec le bureau du Ministre une fois que tu auras revu. La pêche au homard en Gaspésie débute le 28 avril pour certaines zones et le 5 mai pour les autres.

Si vous avez des commentaires ou des enjeux à soulever, merci de m'en faire part rapidement.

Maryse

Maryse Lemire

Directrice régionale de la gestion des pêches
Pêches et Océans Canada / Gouvernement du Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tél.: 418-648-5783

Fisheries Management Regional Director
Fisheries and Oceans Canada / Government of Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tel.: 418-648-5783

Waters, Christa

From: Daley, Annette
Sent: April-25-18 5:02 PM
To: Merriman, Catherine B; Berthier, Jacinta; Sweet, Marilyn; Waters, Christa; Doherty, Penny; MacDonald, Carl
Subject: RE: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

No, put if you are able to give us the relevant info from that paper, would help support the document Marilyn is preparing. Thanks Cathy.

Annette

From: Merriman, Catherine B
Sent: Wednesday, April 25, 2018 4:59 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Doherty, Penny <Penny.Doherty@dfo-mpo.gc.ca>; MacDonald, Carl <Carl.MacDonald@dfo-mpo.gc.ca>
Subject: Re: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Was Vanderlaan et al 2011 also part of the review? I believe that paper identified high risk from groundfish fisheries.

I haven't read al the material in this thread yet.

Cathy

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Daley, Annette
Sent: Wednesday, April 25, 2018 15:48
To: Berthier, Jacinta; Sweet, Marilyn; Waters, Christa; Doherty, Penny; MacDonald, Carl
Cc: Merriman, Catherine B
Subject: RE: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Thanks Jacinta for reviewing the science to support our proposed approach. Your guidance below is well put.

Annette

From: Berthier, Jacinta
Sent: Wednesday, April 25, 2018 4:34 PM
To: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Doherty, Penny <Penny.Doherty@dfo-mpo.gc.ca>; MacDonald, Carl <Carl.MacDonald@dfo-mpo.gc.ca>
Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: RE: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Hi All,

I understood the risk to be high as well for the fixed gear Groundfish Fishery as well, but it was not characterized that way by NHQ today. I re-read the Brillant et al. and noted that fixed gear groundfish (longline and gillnet) was identified as having the highest relative risk to NARW entanglement over the study period. While the study did not include inshore lobster fishery sets (except for 38B), the lobster fishery occurring in the summer months was flagged as having a disproportionately large risk to NARW. Brillant et al. recommended reducing the risk of entanglement from fishing gear by 30% could be achieved by restricting fisheries in certain areas, with the least impactful measure for commercial fisheries being to restrict fixed gear groundfish fisheries from Grand Manan and Roseway Basins from July to September.

I would suggest we continue with our briefing note to set out options for our approach to Critical Habitat areas, similar to considerations in place for dynamic closures in the Gulf.

Based on the comments Penny sent, it would seem there is already a voluntary practice in the Fixed Gear <45' groundfish fleet that references tending practices. It would be good to check in with that fleet and others to note the practicality of the gear tending requirement.

Our briefing note will need to capture the available information to support as fulsome an analysis of the options proposed if / when a NARW sighting coincides with an active fixed gear fishery. If there are additional measures to mitigate risk, like gear tending or relocation, that too should be flagged for consideration.

Thanks,
Jacinta

From: Sweet, Marilyn
Sent: Wednesday, April 25, 2018 2:50 PM
To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Doherty, Penny <Penny.Doherty@dfo-mpo.gc.ca>; MacDonald, Carl <Carl.MacDonald@dfo-mpo.gc.ca>
Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: Re: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

I would be a bit concerned with this approach since GF FG was identified as a high risk fishery and it was recommended to avoid fishing in CH areas when RW were present with this gear type.

Might not be optically good to allow them to continue fishing if others (i.e. Lobster) cannot. Is that what's being suggested? Open for FG GF if tended, but others (pot/trap) closures?

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Berthier, Jacinta
Sent: Wednesday, April 25, 2018 1:20 PM
To: Waters, Christa; Sweet, Marilyn; Doherty, Penny; MacDonald, Carl
Cc: Merriman, Catherine B; Daley, Annette
Subject: RE: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Hi All,

I am on a national call now with Annette and folks from other regions, discussing potential closures we may put in place based on a 'national' approach to all fixed gear fisheries when NARW are present.

We have been asked to confirm if our Halibut and other fixed gear groundfish fisheries could be permitted to proceed in a 'potentially' closed area due to the presence of NARW - based on their ability to tend the gear the entire time it is set (or set fewer strings of gear).

If we do not feel there is potential for harvesters to tend their gear / stay within sight of all set gear to note if the whales present are near their gear, we should flag that, with the caveat that even if the industry could comply, it may need to be voluntarily as there is no mechanism to amend CoL or issue a VO that limits the amount of gear set at a time.

There is also some discussion related to the 20 (or 25) fathom contour as a means of delineating an area that would potentially be closed if a NARW was detected as a dynamic measure.

Short timeline for getting comments back, apparently within the hour, but we will continue to note that we are submitting a memo for decision that would include a proposed protocol to outline considerations for responding to NARW presence in active fixed gear fishing areas.

Appreciate any comments you have to share.

Thanks,
Jacinta

From: Daley, Annette

Sent: Wednesday, April 25, 2018 12:25 PM

To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>

Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>

Subject: NHQ comments on: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

From: Burns, Adam

Sent: Wednesday, April 25, 2018 11:59 AM

To: Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>

Cc: Buie, Jennifer <Jennifer.Buie@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>

Subject: RE: Protocole de fermeture temporaire de la région du Québec pour les autres pêches en cas de présence de baleines noires

Hi,

Thanks for sharing this. It is a really good start.

I think there are a few elements to the protocol that will need some Atlantic-wide consideration, and a couple of elements don't reflect the pan-Atlantic protocols that we have all agreed to. I would ask others to review as well in case I have missed something.

- Page 3 last paragraph – I think we have agreed that for Atlantic halibut that like last year fishing could continue with the requirement that gear be tended.
- Page 4 document indicates that measures apply to southern gulf crab only, however the Min memo (GCCMS 2018-702-00026) says in TAB 5 that static and dynamic closures will apply to fixed gear fisheries.
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Sent: April 24, 2018 3:38 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>

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Si vous avez des commentaires ou des enjeux à soulever, merci de m'en faire part rapidement.

Maryse

Maryse Lemire

Directrice régionale de la gestion des pêches
Pêches et Océans Canada / Gouvernement du Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tél.: 418-648-5783

Fisheries Management Regional Director
Fisheries and Oceans Canada / Government of Canada
Maryse.Lemire@dfo-mpo.gc.ca / Tel.: 418-648-5783



MacLellan, Elizabeth

From: Daley, Annette
Sent: April-26-18 3:45 PM
To: Vézina, Alain; Niven, Sherry; Moors-Murphy, Hilary; Merriman, Catherine B; Waters, Christa
Subject: FYI only: LOBSTER NEW MANAGEMENT MEASURES FOR 2018 AND BEYOND (LFA 23, 24, 25, 26A AND 26B) - Gulf
Attachments: 2018_LOBSTER_Conservation Harvesting Plan.docx

Lots of info in there on NARW management action fy . . .

Annette

From: Buott-Matheson, Debra
Sent: Thursday, April 26, 2018 3:12 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Cc: Hayden, Jazmine <Jazmine.Hayden@dfo-mpo.gc.ca>; MacDonald, Heidi <Heidi.MacDonald@dfo-mpo.gc.ca>
Subject: LOBSTER CONSERVATION HARVESTING PLAN - NEW MANAGEMENT MEASURES FOR 2018 AND BEYOND (LFA 23, 24, 25, 26A AND 26B) - Gulf

Hi ladies,

I am sure you have all seen the attached already, but if not I attach it for your reference. This was sent to Stephen and I by Krista Petersen in the Gulf communications shop.

Krista also mentioned media lines her shop received from HQ yesterday that say the fixed gear measures will be applied throughout the Atlantic Region and Quebec. I've asked her to send them to me. I'll share them once they arrive.

Thanks,

Deb

Debbie Buott-Matheson, BA, BPR

Communications Advisor, Communications Branch/Maritimes Region
Fisheries and Oceans Canada/Government of Canada
debra.buott-matheson@dfo-mpo.gc.ca /Tel: 902-426-6019/Cellular: 902-441-1813

Conseiller en communications, Direction des communications / Région des maritimes
Pêches et Océans Canada / Gouvernement du Canada
debra.buott-matheson@dfo-mpo.gc.ca / Tél : 902-426-6019/Cellulaire : 902-441-1813

Fisheries and Oceans Canada

Notice to Fish Harvesters

April 24, 2018

**LOBSTER CONSERVATION HARVESTING PLAN - NEW MANAGEMENT MEASURES
FOR 2018 AND BEYOND (LFA 23, 24, 25, 26A AND 26B)**

Moncton – Fisheries and Oceans Canada (DFO), Gulf Region, announces the opening of the fishery and new management measures that will be in place in the Lobster Fishing Areas (LFAs) 23, 24, 25, 26A and 26B in 2018. Unless indicated otherwise, existing management measures remain in place.

Opening Dates in 2018

The fishery in LFAs 23, 24, 26A and 26B, as per the Atlantic Fishery Regulations, will be open April 30 at 6:00 a.m. and close on June 30 (inclusively), with the exception of a portion of LFA 26A-1 from Point Prim to Victoria, PEI and LFA 26B North which will open on May 7 at 6:00 a.m. and close on July 7 (inclusively). The 2018 fishing season in LFA 25 is tentatively scheduled to open on August 9 at 6:00 a.m., and close on October 10 (inclusively). The openings of the fishery on targeted opening dates are subject to ice and weather conditions.

NEW management measures to be implemented for the 2018 fishing season:

Increase in minimum legal size of lobster carapace (previously announced in 2018 by separate Notice to Fish Harvesters)

- 77 mm for all LFA 23, including sub-areas 23A, 23B, 23 C and 23D in 2018
- 73 mm in LFA 24 and LFA 26A-1 in 2018
- 74 mm in LFA 26A-1 in 2020
- 81.7 mm in LFA 26B South in 2018 and to 82.5 mm in 2019
- 77 mm in LFA 25 in 2018

For LFA 24

- All female lobster of a length 115 millimetres (mm) or greater shall be returned to the water immediately in a manner that causes it the least harm.
- A minimum of six traps per line.

A shift in the distribution of the North Atlantic Right Whales (NARWs) population in recent years has resulted in an increased presence of NARWs in the Gulf of St. Lawrence. In an effort to minimize the risks of interactions with this species, other marine mammals and species at risk, DFO is announcing important management changes in the Gulf Region lobster fishery.

Fishing Gear: Reducing the amount of rope floating on the surface of the water

The following requirements will be in place to minimize the length of rope floating on the surface of the water and to reduce the risks of entanglements:

Protocol for the dynamic management of the fisheries

DFO will implement a protocol for the dynamic management of the fisheries in 2018 which will close areas to fishing activities when the presence of NARW is observed. This protocol will allow DFO to close specific areas to fishing activities to prevent incidents with NARW, such as entanglements. DFO will use the existing soft shell/white crab grids to close areas due to the presence of NARW. These measures may be adapted as needed over the season.

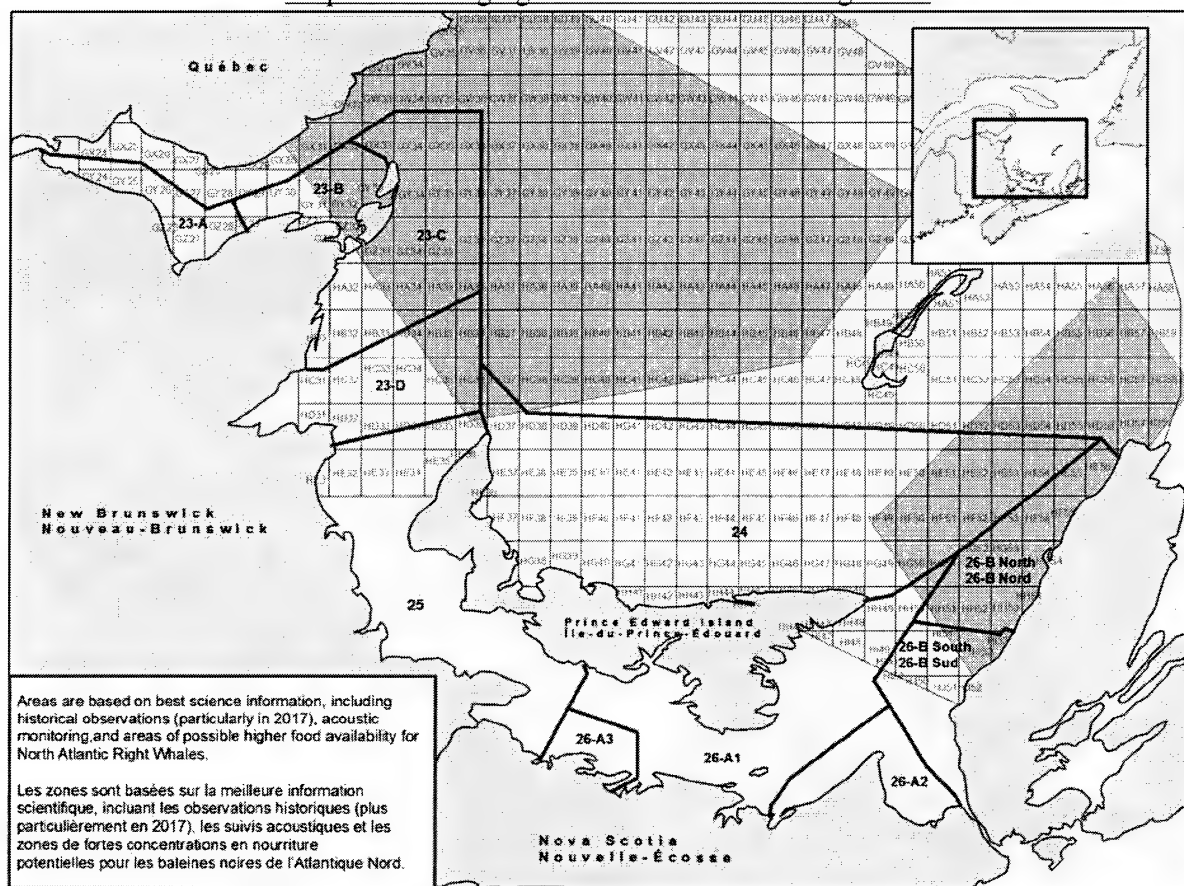
Observations inside a foraging area for the lobster fishery

When one NARW is observed inside a foraging area (see map below), a maximum of nine grids will be closed to provide a buffer area around the sighting location to account for whale movements.

Closing and reopening of the areas

Closures will be in force for a minimum period of 15 days and will be extended by 15 days from the last NARW sighting. If NARWs are not seen during at least two aerial surveillance flights during the 15 days period, the dynamic closure for the relevant sections will be automatically lifted at the end of the period. Closures will be regulated through variation orders and licence holders will be provided an advance notice of 48 hours to retrieve fishing gear from the area prior to closure.

Map of the foraging areas and Lobster Fishing Areas



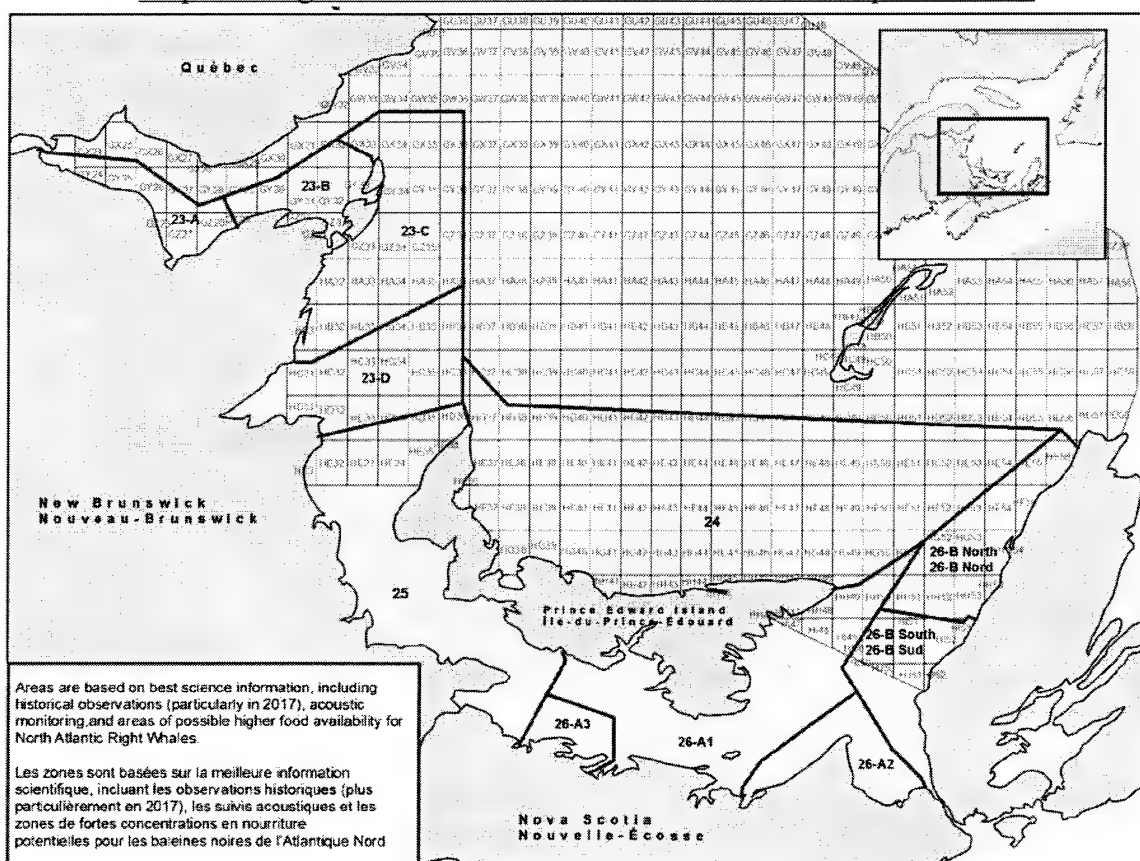
Static closure

DFO will implement a static closure in an area where 90% of the NARW observations occurred in 2017 to provide a large gear-free area for the NARWs, thus reducing the risk of gear interaction. The closure will be in effect on **April 28, 2018** or sooner if NARW are present. This measure may be adapted as needed over the season. The coordinates for the static closure are as follow:

Points	Latitude	Longitude
Position (north-west corner)	48 ° 00 ' 00 ''	64 ° 20 ' 00 ''
Position (north-east corner)	48 ° 00 ' 00 ''	63 ° 10 ' 00 ''
Position (south-east corner)	47 ° 20 ' 00 ''	63 ° 10 ' 00 ''
Position (south-west corner)	47 ° 20 ' 00 ''	64 ° 20 ' 00 ''

The point references are based on the geodesic system North American Datum 1983 (NAD83). Positions are expressed in degrees, minutes and seconds.

Map showing the static closure that will be in effect on April 28, 2018



Other Management Measures which will continue to apply in 2018:

Height and Length of Escape Mechanisms

The height of the escape mechanism as indicated in Table 1 needs to be adjusted according to the minimum legal carapace size in effect in each LFA (refer to Table 2 for minimum legal size).

Table 1

Length of escape opening between 127 mm and less than 254 mm	
Minimum legal carapace size	Height of escape opening
>71 mm to 73 mm	42 mm
>73 mm to 76 mm	43 mm
>76 mm	44 mm
Length of escape opening equal to or greater than 254 mm	
Minimum legal carapace size	Height of escape opening
>71 mm to 73 mm	41 mm
>73 mm to 76 mm	42 mm
>76 mm to 80 mm	43 mm
>80 mm	44 mm

Table 2: Major Management Measures in 2018
Lobster Fishing Areas 23, 24, 26A, 26B

	Minimum legal carapace size (mm) ¹	Window size females (mm) ²	Maximum number of traps	Minimum number of traps per line ³	Maximum hoop size (mm)
23A	77	115-129	300	n/a	152
23B	77	115-129	300	n/a	152
23C	77	115-129	300	In a portion of 23C : 3 traps	152
23D	77	115-129	300	In a portion of 23D: 3 traps	152
24	73	115	300	6 traps	n/a
25	77	115	240 PEI 250 NB 225 Gulf NS	n/a	152
26A-1	73	115-129	272 PEI 280 Gulf NS	In a portion of 26A-1 adjacent to PEI: 6 traps (extended in 2017) 26A-1 (Gulf NS fishers only): 5 traps	n/a
26A-2	76	115-129	255 and 275 ⁴	6 traps	152
26A-3	76	115-129	250	2 traps	n/a
26B South	81.7	n/a	250	n/a	n/a
26B North ⁵	82.5	n/a	250	5 traps	152

Notes:

¹See table 1 for height of escape mechanism corresponding to the minimum carapace size in effect.

²As defined by licence conditions (female lobster of a length of 115 mm but not more than 129 mm shall be returned to the water immediately in a manner that causes it the least harm).

³As defined by licence conditions.

⁴Commercial licence holders: 255 traps/Some Communal Commercial licence holders: 275 traps.

⁵Closure to fishing of Cheticamp Harbour.

Restrictions on the movement of lobster licences

For information on restriction on the movement of Lobster Licences you can refer to the Commercial Fisheries Licensing Policy for Gulf Region that can be found at the following link:

<http://www.glf.dfo-mpo.gc.ca/Gulf/Licenses-Delivery/Commercial-Fisheries-Licensing-Policy>.

Logbooks

DFO reminds licence holders that logbooks shall continue to be submitted on a monthly basis. Further logbook details are available in your lobster licence conditions. The list of suppliers is available at the following Internet address: <http://www.dfo-mpo.gc.ca/fm-gp/sdc-cps/nir-nei/log-suppliers-eng.htm#gulf>.

Daily closed time

The daily close time from 9:00 p.m. to 4:00 a.m. in LFA 23 will remain in 2018. Further details are available in your lobster licence conditions.

Transit Corridors

As in 2017, there will be an approximate 200 m wide transit corridor open by Variation Order in LFA 25 from the boundary line of LFA 23/25 to Pointe Sapin, New Brunswick during the LFA 25 closed season allowing fish harvesters to transport their catches through that area (corridor) to reach their homeport and avoid using the smack boat. There will also be a transit corridor open in LFA 23D and one open in LFA 24 during the Fall LFA 25 season to transport their catches through the corridor. For that reason, there will be a validity period added to the LFA 23D, LFA 24 and LFA 25 licences. The season for each applicable LFA remains as listed in the Fisheries Regulations or announced in the Variation Order. A Vessel Monitoring System (VMS) is required if using the transit corridor. The coordinates for the various corridors are included in Variation Orders and/or licence conditions. The coordinates of the corridors are unchanged from 2017.

Before you go fishing

The Department has assembled a list of requirements and documents harvesters will need before they start fishing. This list is available at: <http://www.glf.dfo-mpo.gc.ca/Gulf/Before-start-fishing>

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: April-26-18 2:57 PM
To: Valkenier, Mary-Ellen
Cc: Daley, Annette; Rossignol, Pauline
Subject: For Review: Draft Record of Discussion - ASC for NARW April 25 2018
Attachments: Draft Record of Discussion - ASC for NARW April 25 2018 (2018-04-26).docx

Follow Up Flag: Follow up
Flag Status: Completed

Hi Mary-Ellen,

For your review, attached is the draft Record of Discussion from yesterday's meeting of the Atlantic Steering Committee on North Atlantic Right Whale.

Please let me know if you would like any edits before it is distributed to the committee as a draft for their review.

Thank you.

Sheila



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on April 25, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Mary-Ellen Valkenier	Regional Director General (Chair)
Annette Daley	A/Regional Director, Fisheries Management
Sherry Niven	Manager, Ocean and Ecosystem Sciences
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Quebec Region	
Patrick Vincent	Regional Director General
Nicole Bouchard	Regional Director, Ecosystems Management
DFO Gulf Region	
Marc LeCouffe	A/Director Resource and Aboriginal Fisheries Management
DFO Newfoundland and Labrador Region	
Lloyd Slaney	Director of Conservation and Protection
Canadian Coast Guard, Atlantic Region	
Julien Gaudet	Superintendent, Marine Traffic and Communications Services
DFO National Headquarters	
Jean Landry	Director, Fish Population Science
Simon Nadeau	Senior Advisor, Ecosystems Science
Jennifer Buie	Manager, Resource Management – Atlantic
Brett Gilchrist	International Fisheries Officer, Fisheries Management
Judy Dwyer	Director, Enforcement Operations, Conservation & Protection
Émile Lagace	Senior Advisor to the Director General, Ecosystems Management
Ashley Jackson	Senior Communications Advisor
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies
Tracy Chatman	Marine Safety Policy Advisor



	TOPIC	LEAD
1.	Welcome and Introductions Review Records of Discussion	Mary-Ellen Valkenier
The Record of Discussion from the last meeting on April 11, 2018, was reviewed and approved secretarially.		
2.	Research, Risk Assessment and Monitoring	Jean Landry Tracy Chatman Sherry Niven

Survey Flights

Jean Landry provided an update that the Surveillance Working Group is fully operational with staff from various sectors of DFO and Transport Canada having weekly calls to coordinate the survey flights. The flights for Science, C&P and Transport Canada are all underway. The Science survey flights have covered the Inner Bay of Fundy, part of the Roseway Basin and the Southern Gulf of St. Lawrence (SGSL). They covered all of the SGSL because the crab fishery in area 12F is open and other fisheries will open soon. There have been no sightings of NARW in Canadian waters yet this season. However, the Working Group has access to regular reports from the National Oceanic and Atmospheric Administration (NOAA) and they have sighted 87 NARW off the coast of Cape Cod. Therefore, the survey flights will return to the Roseway Basin to see when the whales start to travel north.

Tracy Chatman added that Transport Canada's Situation Centre is being used to track and coordinate survey flights. Each morning the pilots send their flight plans (e.g., coordinates, altitudes) to the Situation Centre and the Centre distributes the plans to a small group, which ensures that planes are not flying over the same area. NOAA will also call in their flight plans when flying over Canadian waters, which is expected to be in June, July and August. DFO Science will provide support for NOAA's surveillance flights.

Every Friday afternoon, a short email will be sent to a small group of senior directors to inform them of the survey plan for the following week. It will include the flights for C&P's monitoring and enforcement activities, so it is important that these emails have very limited distribution.

Sightings Reports

Templates for the daily and weekly observation maps were distributed for this meeting. Science in Gulf Region will produce daily maps throughout the season. When there are no observations, they will send a one-line email saying that no NARW were observed. This process began on April 23, 2018.

Science in Maritimes Region will produce weekly maps every Friday, starting April 27, 2018. These maps will indicate the shipping lanes and fishing areas subject to the static and dynamic closures announced by the Minister, with the tracks of survey flights and the observations of NARW over the past two weeks. The two-week timeframe is to maintain a legible map and to provide a snapshot of the survey effort and presence of whales.

Science is in regular communication with Dalhousie University on the development of WhaleMap. Once it is available, by the end of May at the earliest, the weekly maps can be more easily extracted from this online tool.

Opportunistic Sightings

Science in Maritimes Region will hire a person to assist with validating opportunistic sightings. After the validation process, confirmed sightings will be included in the sightings maps. (See the process in the Proposed NARW Sightings Data Workflow distributed for the Atlantic Steering Committee meeting on March 29, 2018.)

Draft Decision Process for Necropsies

Science has drafted a process for deciding when to conduct necropsies, which they will discuss with Fisheries Resource Management before sharing it with the Atlantic Steering Committee.



3.	Fisheries Interactions	Jennifer Buie Marc LeCouffe Julie Gaudet
<p><i>Canada-US Cetacean Working Group meeting, April 11-12, 2018</i></p> <p>Jennifer Buie provided an update on the Canada-US Cetacean Working Group meeting on April 11-12, 2018, in Boston. Canada sent representatives from DFO Science and Fisheries Resource Management and Transport Canada. NOAA had a variety of representatives from science and management. The focus was on information sharing and collaboration. For example, NOAA provided updates on their take reduction plans, vessel strike management plans and surveillance plans. DFO provided updates on the recent announcements of mitigation measures for fishing and shipping interactions and on surveillance plans. There are many synergies between the Canadian and US plans. Some specific points of collaboration were identified between Canada and the US (e.g., on passive acoustic monitoring trials) as well as with external groups (e.g., on rope strength tests). There continues to be public pressure in the US to enact the comparability finding provisions of the <i>Marine Mammal Protection Act</i>. NOAA officials indicated they were pleased with the level of activity and with how quickly measures were put in place to protect the NARW in Canada. The working group will continue to collaborate through the season.</p> <p><i>Regional Plans to Mitigate Risks within Critical Habitat for NARW</i></p> <p>Decision rules for fishery closures have not been pre-approved for areas outside of western Gulf of St. Lawrence. Therefore, the Regional Directors of Fisheries Management are discussing how they will take measures on short notice if required in other areas. In particular, the Quebec and Maritimes Regions would like a heightened ability to take quick action in areas that have already been identified as critical habitat for NARW and to communicate with industry before taking action. They are preparing briefing notes to seek Ministerial approval of proposed approaches. The Gulf Region is also seeking clarity from Ottawa on how to mitigate risks quickly in areas that are not subject to the static and dynamic fishery closures. Science and Communications asked to be informed about the regional plans as early as possible so they can prepare accordingly.</p> <p><i>Icebreaking Operations to Open Snow Crab Fishery</i></p> <p>Julien Gaudet provided an update on the CCG's icebreaking operations related to the opening of the snow crab fishery. (See the presentation on icebreaking operations distributed for this meeting.) The CCG's hovercraft works in shallow waters and has been breaking up ice in Shippagan Bay and Caraquet Harbour. Most of the drift ice has been flushed out, but the fast ice (ice fastened to the coastline or sea floor) is preventing the vessels from leaving ports and winds are needed to carry the ice out. The hovercraft has moved to Restigouche River this week due to flood concerns, but it will return soon. Trevor Hodgson, Superintendent, Icebreaking Program, is in New Brunswick today to meet with the fishing industry.</p>		
4.	Shipping Interactions	Tracy Chatman Julien Gaudet
<p>On March 28, 2018, Minister Garneau announced a mandatory speed restriction from April 28 until November 15 for vessels 20 metres or longer to a maximum of 10 knots when travelling in the western Gulf of St. Lawrence.</p> <p>Tracy Chatman provided an update that the slow-down will come into effect at midnight (00:00) on April 28, 2018. Transport Canada is working closely with the CCG and the Maritime Traffic and Communications Services on the wording of the Notice to Shipping and Notice to Mariners that will be issued next week. The Notice to Mariners will provide an overall understanding of what will happen with the static and dynamic closures. The Notice to Shipping will indicate the current status of the dynamic zones. As the status of any zone changes, the old notice will be cancelled and a new one issued so that one current notice will provide the complete picture.</p> <p>An additional document is being provided to industry representatives to provide to their international members. Transport Canada is having weekly calls with the marine industry to help them prepare.</p>		



It was noted that the officers monitoring the slow-down do not have the authority to make decisions on whether or not a vessel is justified in speeding so they will issue contraventions for all infractions. However, Transport Canada will consider the circumstances, e.g., if a CCG vessel was involved a search and rescue operation.

5. Marine Mammal Response (MMR)

Judy Dwyer
Brett Gilchrest

C&P's Preparations for Response Operations

Judy Dwyer provided an update that training has been completed for fishery officers (and marine mammal observers) on whale identification and on the Incident Command System (ICS). An ICS session in French will be offered in Quebec in mid-May. Further training is planned for fishery officers who will provide support to disentanglement operations. C&P is also pre-positioning gear for disentanglements and strandings (e.g., knife kits and release kits) in areas where they are most likely to be used and is ensuring that disentanglement teams are familiar with the kits. The gear is difficult to transport so it is intended to be ready when teams arrive on site.

Large Whale Disentanglement Protocol

Brett Gilchrest provided an update that the Marine Mammal Coordinators have been working on a large whale disentanglement response protocol and the final version will be distributed shortly. The protocol was discussed with the external response organizations a few weeks ago.

Liaison with the United States

It was noted that Fisheries Resource Management should be the conduit to discuss issues related to MMR with the United States.

Program Funding / Contribution Agreements with Response Organizations

Minister Leblanc recently announced \$1M in new funding to support marine mammal response groups and Budget 2018 included a reallocation of funds to support whales as an initiative (in addition to new funding for science and monitoring related to whales)

A template for Contribution Agreements with response organizations has been finalized and will be distributed to the Marine Mammal Coordinators today. The use of Contribution Agreements was approved for 2018 only (to allow time for the MMR hubs to be established) and a tendering process will be developed for use in future years.

6. Next Meeting

The next bi-weekly meeting of the Atlantic Steering Committee will be on May 9, 2018.

Caines, Allison

From: Schaefer, Heidi
Sent: Tuesday, May 1, 2018 12:42 PM
To: Humphrey, Donald
Subject: FW: BN MM dynamic 2018 NARW draft May 1.docx
Attachments: BN MM dynamic 2018 NARW draft May 1.docx

I'll take a look this afternoon and get back to her. EM is not on the approval routing.

From: Sweet, Marilyn
Sent: Tuesday, May 1, 2018 12:41 PM
To: Schaefer, Heidi <Heidi.Schaefer@dfo-mpo.gc.ca>
Subject: BN MM dynamic 2018 NARW draft May 1.docx

Sorry....added in a sentence. Go with this version.
Sorry!

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE MANAGEMENT
MEASURES FOR MARITIMES REGION -2018**

For Approval

SUMMARY

This note is seeking your decision on options to address dynamic closures for fixed-gear fisheries in the Maritimes Region for the 2018 fishing season. The intent of these closures is to reduce the possibility of interactions with the endangered North Atlantic Right Whales (NARW).

Several new measures focused on marine mammals have been implemented in the Maritimes Region for the 2018 season. These measures are in response to requirements under the United States Marine Mammal Protection Act (MMPA) and also in response to the unusual number of deaths and entanglements of NARW in the Gulf of St. Lawrence in 2017.

The details of the parameters of these actions are being finalized in the draft NARW Response Protocol included in TAB 1.

BACKGROUND

North Atlantic Right Whale was listed under the *Species at Risk Act* (SARA) in 2005. The current estimate for the population of NARW in 2017 was 452 animals. Of this number, only 105 are thought to be females of reproductive age and no known calves were observed in 2018 to date.

There has been an observed change in the distribution of the NARW since 2010 which has seen fewer confirmed observations of NARW in the Bay of Fundy and along the Scotian Shelf. This shift is potentially correlated to a shift in their food supply. In 2017, 12 NARW were found dead in the Gulf of St. Lawrence, with an additional 5 animals being successfully disentangled in the same area.

s.21(1)(a)

s.21(1)(b)

In addition, the Gulf Region announced several measures for dynamic and static closures for the 2018 fishing season as a means to reduce the possible interactions with fishing gear when NARW are present. This includes a static closure to fishing activity beginning April 28th, 2018 in the area where 90 percent of the whales were sighted in 2017. This static closure will cover approximately 14,000 km² and will close the area to all fixed gear fishing activity.

STRATEGIC CONSIDERATIONS

The Maritimes Region is seeking guidance on ways to reduce possible interactions of NARW in fishing gear. Measures have been announced for areas in the Gulf of St. Lawrence, but there has not been any public announcement to date on dynamic/static closures for areas outside of the Gulf of St. Lawrence.

The Recovery Strategy for North Atlantic Right Whales identifies Grand Manan Basin and Roseway Basin as critical habitat for the whales. These two areas are assumed to contain some functions and features that are required for the recovery of the species, including foraging for adults, nursing and rearing of calves and the resting and socialization of right whales. While there has been a shift in distribution of NARW in recent years resulting in additional possible foraging areas for right whales, the two identified critical habitats in the Maritimes Region remain.

As part of the Ocean Protection Plan, DFO carried out a science-based review of the effectiveness of the current management and recovery actions for three at-risk whale species in Canada; one of which is NARW. This review noted that “[r]educing the spatiotemporal co-occurrence of North Atlantic right whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled.”

Two Canadian studies have identified spatiotemporal closures as a possible measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017). Vanderlaan et al. found that the use of fixed fishing gear in Canada and the U.S. is often identified as posing a high risk to right whale entanglement or entrapment. The study examined the risk of lethal interactions with different fishing gear types and right whales in Canada. The results identified higher risk fisheries based on where gear is set, the overlap of fishing season and whale presence, and the two identified critical habitats, which are both found within the Maritimes Region. It was determined that in critical habitat, groundfish bottom longline is the greatest threat during the summer residency period of right whales, while the lobster fishery, which includes many trap lines, is the greatest threat during migratory periods in spring and fall.

There is little understanding of how entanglements occur, but it is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW. There are challenges in identifying higher risk areas based on historic NARW sighting information and areas of high-use fishing activity.

Many of the recommendations from the scientific community have focused on avoidance as the greatest means of reducing risks of interactions. The gaps in knowledge of how entanglements occur coupled with uncertainty of the whales movement and current foraging habits makes the requirement to approach fishing interactions and NARW movement from a precautionary approach all the more important.

DFO staff has framed potential solutions prioritized by their likelihood to prevent entanglement: Prevention (e.g. season changes, rope reduction), mitigation (e.g. gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly, therefore the focus is on preventing interactions from occurring by reducing the spacial overlap of fishing activity when whales are present.

Conservation and Protection (C&P) and Science Branches are both working on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW are confirmed in the Maritimes Region. Currently, C&P carries out an average of 20 surveillance flights a month in the region through their regular patrols. If NARW are detected in the Maritimes Region, tasking for surveillance of C&P flights will be revisited in consultation with RM and Science. If a closure is implemented, it is recommended that there be an increase in surveillance to the closed area for the duration of the closure.

SCIENCE ADVICE

Science to provide input

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations.

ADVICE AND RECOMMENDATIONS

It is recommended that you approve one of the following options for responses to NARW in active fishing areas in the Maritimes Region.

NEXT STEPS

The Maritimes Region will hold several table-top exercises to test the draft NARW Response Protocol (TAB 1). This document will remain evergreen and will be updated as required in the coming months.

Annette Daley
Regional Director
Fisheries Management

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-4-

Attachment(s): (2)

- 1) *Draft Maritimes Region North Atlantic Right Whales Response Protocol*
- 2) *Static and Dynamic Management Measures- Gulf Region 2018*

M.Sweet/C.Waters/J.Berthier/A.Daley/MEValkenier/bh

Caines, Allison

From: Sweet, Marilyn
Sent: Tuesday, May 1, 2018 3:57 PM
To: Schaefer, Heidi; Niven, Sherry; Moors-Murphy, Hilary
Subject: BN MM dynamic 2018 NARW draft May 1.docx
Attachments: BN MM dynamic 2018 NARW draft May 1.docx

Importance: High

Hi there,
Here is the most up to date version. Sorry it has changed so much....
Mar

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s.21(1)(a)

s.21(1)(b)

The details of the parameters of these actions are being finalized in the draft NARW Response Protocol included in TAB 1. The protocol for dynamic and static closures for the Gulf Region are included in TAB 2.

BACKGROUND

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.../2

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.../3

-3-

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ADVICE AND RECOMMENDATIONS

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s.21(1)(a)

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Annette Daley
Regional Director
Fisheries Management

.../4

2)Static and Dynamic Management Measures- Gulf Region 2018

M.Sweet/C.Waters/J.Berthier/A.Daley/MEValkenier/bh

No information has been removed or severed from this page

Waters, Christa

From: Quigley, Sara
Sent: May-01-18 11:36 AM
To: Sweet, Marilyn; Berthier, Jacinta; Waters, Christa
Subject: Lobster: Dynamic closures, Gulf Region (LFA 27)
Attachments: Map for Fishers - LFA with LFA27.jpg

Hi – This version of the map has the LFA 27 boundary on it.

From: Massiera, Josiane
Sent: May-01-18 11:18 AM
To: Quigley, Sara; Penny, Lorne
Cc: Leblanc, Arthur; Dwyer, Alan
Subject: RE: Lobster: Dynamic closures, Gulf Region (LFA 27)

Thanks Sara. To clarify, the Minister's committed to establish a Working Group with the Maritimes Fishermen's union (MFU) in NB upon their request as they are the one impacted (for lobster) by the static (fixed) closure. We are exploring the idea of expanding the working group to other lobster associations as they will be impacted by the dynamic (temporary) closures, but for now the Working group is with MFU.

I believe there are 34 licences holders from Gulf Region fishing in LFA 27 and no First Nation or Indigenous groups (Alan, please correct me if I'm wrong). You said there are over 500 fish harvesters in LFA 27, but how many do you think would be impacted by this

We will check with Ottawa if the dynamic protocol applies to LFA 27, I will copy you and Lorne.
Josiane

From: Quigley, Sara
Sent: May-01-18 9:27 AM
To: Massiera, Josiane; Penny, Lorne
Cc: Leblanc, Arthur; Dwyer, Alan
Subject: Lobster: Dynamic closures, Gulf Region (LFA 27)

Hi Josiane

Based on our conversation this morning, my understanding is this:

- Gulf Region has developed an approach to dynamic closures and has announced publicly that it will apply to the lobster fisheries in the Gulf this spring.
- In response to concerns raised by lobster licence holders in Gulf, the Minister announced that an industry working group will be set up to discuss these and potentially identify areas where the Department can be flexible in implementing the approach.
- The waters affected overlap with the northwest corner of LFA 27.

At this point, we're agreed that a decision needs to be made as to whether the approach to dynamic closures will apply to the LFA 27 fishery. I assume this will need to be run through MINO and, unless I hear otherwise from you, that your Region will lead on preparing the briefing material. Can we have an opportunity to review the material before it goes up? Lorne may have some comments from an Area Office perspective.

Lorne -- In the meantime, and in anticipation of a decision to involve stakeholders from LFA 27 in the industry working group, can you please advise on who best to include? I think we'd want to ensure invitations are issued to the

Aboriginal groups with licences for LFA 27 (Membertou, Waycobah, Wagmatcook, Chapel island, Native Council of Nova Scotia). But in addition, there are the fishing associations. Which ones of these would have an interest?

Thanks
Sara

From: Massiera, Josiane
Sent: April 30, 2018 3:47 PM
To: Quigley, Sara
Cc: Dwyer, Alan; Leblanc, Arthur
Subject: FW: Dynamic closures

Hi Sara,
Can we discuss as soon as possible? Attached is the map of the dynamic closures.
Josiane

From: Dwyer, Alan
Sent: April-30-18 3:40 PM
To: Leblanc, Arthur
Cc: Beauchamp, Sébastien; Massiera, Josiane
Subject: RE: Dynamic closures

Hi Arthur,

I am following up with RHQ.

Alan

Alan Dwyer

Area Manager, Resource Management, Gulf Nova Scotia / Chef intérimaire de la gestion des ressources, Secteur du Golfe Nouvelle-Écosse
Fisheries and Oceans / Pêches et Océans
Gulf Nova Scotia / Nouvelle Écosse – Golfe
2920, Highway 104 / 2920 route 104
Antigonish County, NS / Comté d'Antigonish (N.-É) B2G 2K6
Telephone / Téléphone: (902) 735-7114
Fax / Télécopieur: (902) 863-5818
E-mail / Courriel: Alan.Dwyer@dfo-mpo.gc.ca

From: Leblanc, Arthur
Sent: April-30-18 8:32 AM
To: Dwyer, Alan
Cc: Beauchamp, Sébastien
Subject: Dynamic closures

Hi Alan

Last week we discussed the lobster harvesting plan and the fact that LFA 27 is not part of the plan (at it is managed by MAR) , yet the dynamic closure area covers a portion of LFA 27.

Can you confirm if the dynamic closures will affect LFA 27?

If so, shouldn't Region send a clarification on the Notice with regards to LFA 27.

Arthur LeBlanc

Acting Chief,

Chef, Intérimaire

Conservation & Protection

Gulf Nova Scotia

Gulf Region

Fisheries and Oceans Canada

Conservation et Protection

Nouvelle-Ecosse -Golfe

Région du Golfe

Pêches et Océans Canada

Telephone/ Téléphone: (902) 224-4213

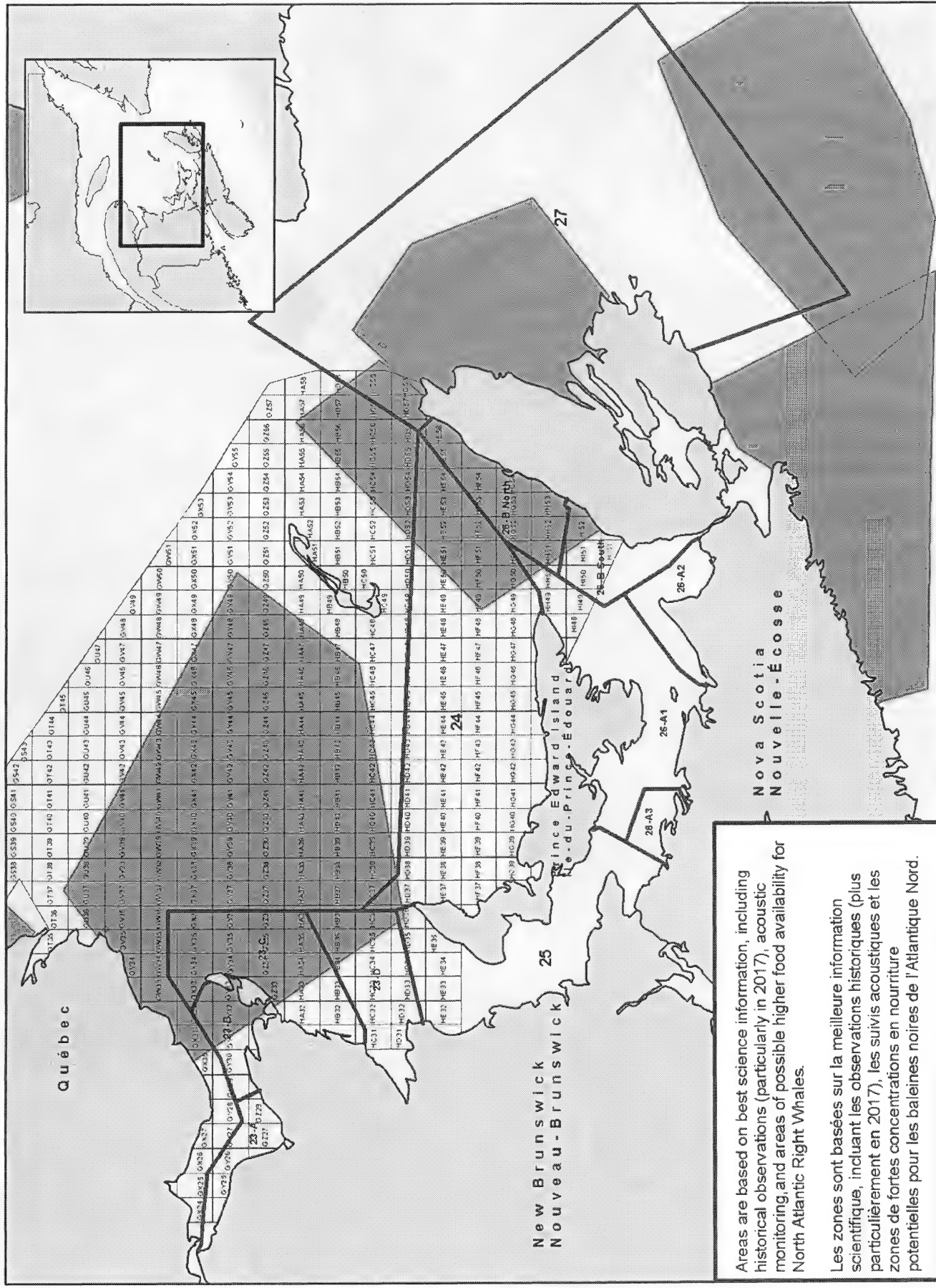
Cellular / Cellulaire : [REDACTED] (Voice Mail)

s.16(2)

Facsimile / Télécopieur : (902) 224-2579

Email / Courriel Arthur.Leblanc@dfo-mpo.gc.ca

AREAS SUBJECT TO TEMPORARY CLOSURE PROTOCOLS ZONES SOUMISES À DES PROTOCOLES DE FERMETURE TEMPORAIRE



Merriman, Catherine B

From: Niven, Sherry
Sent: May-01-18 5:55 PM
To: Sweet, Marilyn
Cc: Schaefer, Heidi; Moors-Murphy, Hilary
Subject: RE: BN MM dynamic 2018 NARW draft May 1.docx
Attachments: Response to NARW in Mar Region April 26 draft_HBM.docx; BN MM dynamic 2018 NARW draft_HBM and SN.docx

I have added a few comments to Hilary's comments.

I have also attached Hilary's comments on the protocol doc.

We are happy to discuss.

Sherry

From: Niven, Sherry
Sent: May-01-18 4:06 PM
To: Sweet, Marilyn
Cc: Schaefer, Heidi; Moors-Murphy, Hilary
Subject: RE: BN MM dynamic 2018 NARW draft May 1.docx

Comments on the version that you sent Hilary on Friday. We haven't looked at your new version.

We haven't done much with the Science Section yet (i.e. have copied the Gulf text).

Sherry

From: Sweet, Marilyn
Sent: May-01-18 3:57 PM
To: Schaefer, Heidi; Niven, Sherry; Moors-Murphy, Hilary
Subject: BN MM dynamic 2018 NARW draft May 1.docx
Importance: High

Hi there,
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Mar

MEMORANDUM FOR THE REGIONAL DIRECTOR GENERAL

NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE MANAGEMENT
MEASURES FOR MARITIMES REGION -2018

SUMMARY

This note is seeking your decision on dynamic closure options to address dynamic closures for fixed-gear fisheries in the Maritimes Region for the 2018 fishing season. The intent of these closures is to reduce the possibility-risk of fishing gear interactions with the endangered North Atlantic Right Whales (NARW).

Several new measures focused on marine mammals and relevant to protection of NARW have been implemented in the Maritimes Region for the 2018 season. These measures are in response to requirements under the United States Marine Mammal Protection Act (MMPA) and also in response to the unusual number of deaths and entanglements of NARW in the Gulf of St. Lawrence in 2017.

The details of the parameters of this closure are being finalized in the draft NARW Response Protocol included in TAB 1.

BACKGROUND

The North Atlantic Right Whale (NARW) was listed as Endangered under the *Species at Risk Act* (SARA) in 2005. The current population estimate for the population of NARW in 2017 was 452 for 2015 was 458 animals (95% confidence interval (CI): 444-471 animals). Of this number, of which only 186 animals (95% CI: 174-195) 405 are thought to be females of were reproductive age females. Only 5 calves were documented in 2017 and no known calves were have been observed to date in 2018 to date. There is evidence indicating that the population has been in decline since 2010.

Historically, most sightings of NARW in Canadian waters have occurred off Nova Scotia and two areas in Maritimes Region were identified and designated as NARW Critical Habitat in 2009: Grand Manan Basin and Roseway Basin. More than thirty years of NARW research data support that these two high-use habitats function as adult foraging and feeding grounds, calf nursing and rearing grounds, and resting and socializing areas for the population.

The distribution of the NARW in Canadian waters appears to be changing, perhaps due to changes in food supply. There has been an observed change in the distribution of the NARW

s.21(1)(a)

s.21(1)(b)

Comment [D1]: HBM – What is the point of including this statement here in the summary? Is it really an important point? This statement is not very informative as currently written - what kind of measures have already been implemented and how are they different then what you talk about in the next paragraph? If this statement is included here, shouldn't there be some more detailed info on measures already implemented on the Region within the background as well?

Comment [D2]:

Comment [D3]:

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Comment [D4]: HBM – From the NARW Consortium annual report card for 2017 :
https://www.narwc.org/uploads/1/1/6/6/116623219/2017_report_cardfinal.pdf

Comment [D5]: HBM : Reference for this statements – Pace et al 2017:
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5677501/>

Comment [D6]: HBM : Reference for this statements – Pace et al 2017:
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5677501/>

Comment [D7]: HBM – Need to provide some context around CH and its importance. Reference for this paragraph is DFO 2014: NARW Recovery Strategy

Comment [D8]: HBM – We don't know for sure what exactly these changes are or why they are occurring, hence my looser wording (requires more research to confirm).

~~since~~ Since 2010, there have generally been ~~which has seen fewer confirmed observations of~~ NARW in the Bay of Fundy and along the Scotian Shelf in Nova Scotia waters as compared to previous years (though many individuals were observed in the Bay of Fundy in 2016). In 2015 and 2017, more NARW sightings were reported in the Gulf of St. Lawrence than have previously been documented; though more search effort also occurred in the area during these years. This shift is potentially correlated to a shift in their food supply. In 2017, an unprecedented 12 NARW were found dead in the Gulf of St. Lawrence, with an additional 5 live-entangled individuals ~~animals being successful disentangled~~ documented in the same area. Since June 7th 2017, 18 NARW have died in Canadian and US waters and an Unusual Mortality Event has been declared and is currently still in effect.

s.21(1)(b)

Comment [D9]: HBM – not all 5 were successfully disentangled.

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Comment [D10]: HBM – I think it's important to recognize that there is an active UME for NARW in Canada and US waters.

Comment [D11]:

Comment [D12]:

Comment [SN13]:

-2-

In addition, the Gulf Region has approved several measures for dynamic and static closures for the 2018 fishing season as a means to reduce the possible interactions with fishing gear when NARW are present. This includes a static closure to fishing activity beginning April 28th, 2018 (or sooner if NARW appeared) in the area where 90 percent of the whales were sighted in 2017. This static closure will cover approximately 14,000 km² and will close the area to all fixed gear fishing activity.

STRATEGIC CONSIDERATIONS

The "Recovery Strategy for North Atlantic Right Whale in Canada" identified Grand Manan Basin and Roseway Basin as eNARW Critical Habitat for the whales. ~~These~~ These two areas represent the only Critical Habitat currently identified for NARW in Canadian waters. The functions, features and attributes of these two areas have been described ~~are assumed to contain some functions and features that are required for the recovery of the species, including their role as adult foraging and feeding grounds for adults, calf nursing and rearing of calves grounds, and the resting and socialization of right whales areas.~~ While there has been ~~appears to be a shift in distribution of NARW in recent years with more sightings being reported in the Gulf of St. Lawrence, NARW still occur in their identified Critical Habitat in Maritimes Region. For example, even though relatively few NARW sightings occurred outside the Gulf region in 2017, there were still some NARW sightings in the Bay of Fundy in 2017 and a large number NARW were sighted in the Bay of Fundy in 2016, resulting in additional possible foraging areas for right whales, the two identified critical habitats in the Maritimes Region remain.~~

The "Action Plan for North Atlantic Right Whale in Canada: Fishery Interactions" identifies measures to be taken to reduce the threat of interaction with fishing gear to NARW. Developing and implementing mitigation measures to reduce the risk of entanglement, including potential spatial and temporal closures to fishing activities, is recognized as a high-priority measure in this plan.

Comment [D14]: HBM - <https://www.registrelep-sararegistry.gc.ca/default.asp?lang=En&n=F6E69C11-1>

Comment [D15]: HBM - I think that the existence of this document and its relevance to these proposed activities need to be recognized.

As part of the Ocean Protection Plan, DFO carried out a science-based "Review of the effectiveness of the current management and recovery actions for three at-risk whale species in Canada; one of which is NARW North Atlantic Right Whales". This review noted that "[r]educing the spatiotemporal co-occurrence of North Atlantic right whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled," and specifically recommended removing gear from identified Critical Habitat and from other high-use areas by implementing spatiotemporal closures to fishing activities when NARW are present as one of the most effective activities to reduce the threat of fishing-gear entanglement to NARW.

Comment [D16]: HBM - This is important to state as this document is written science support for the proposed measures here.

Supporting this recommendation, two Canadian studies have identified spatiotemporal closure to fishings as an efficient measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017). Vanderlaan et al. (2011) found that the use of fixed fishing gear in Canada and the U.S. is often identified as posing a high risk to right whale entanglement or entrapment. The study examined the risk of lethal interactions with NARW and different fishing gear types and right whales in Canada. The results by examining identified higher risk fisheries based on where gear is set, the overlap of between fishing activities and seasons and with whale presence, and the two identified critical habitats, which are both found within the Maritimes Region. It was determined that higher risk fisheries occurred in critical Critical habitat, with groundfish bottom longline posing is the greatest threat risk of entanglement in Critical Habitat during the summer residency period of right whales, while and the lobster fishery, which includes many trap lines, is posing the greatest threat risk during migratory periods in spring and fall. Brillant et al. (2017) show that about a third of the annual risk of entanglement for NARW in Canadian waters occurs in their identified Critical Habitat and suggest that the most effective and efficient action to reduce this risk is to seasonally restrict fishing in Grand Manan and Roseway Basins to periods when NARW are not present.

Comment [D17]: HBM - Moved statement to below.

The use of fixed fishing gear in Canada and the U.S. is often identified as posing a high risk of entanglement or entrapment for NARW (Vanderlaan et al. 2011). There is little understanding of how entanglements occur, but it is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW, though there is little understanding of exactly how entanglements occur and little evidence to support which gear modifications would reduce the risk of entanglement. There are challenges in identifying higher risk areas based on historic NARW sighting information and areas of high-use fishing activity. Many of the recommendations from the scientific community have thus focused on spatio-temporal avoidance as the most effective means of reducing the risk of entanglement. The gaps in our knowledge of how entanglements occur coupled with uncertainty in NARW distribution highlight the need for implementing a precautionary approach to managing potential NARW and fisheries interactions.

Comment [D18]: HBM - Deleted this statement as it is confusing and not very clear what point is being communicated.

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The Recovery Strategy for North Atlantic Right Whales identifies Grand Manan Basin and Roseway Basin as critical habitat for the whales. These two areas are assumed to contain some functions and features that are required for the recovery of the species, including foraging for adults, nursing and rearing of calves and the resting and socialization of right whales. While there has been a shift in distribution of NARW in recent years resulting in additional possible foraging areas for right whales, the two identified critical habitats in the Maritimes Region remain.

Many of the recommendations from the scientific community have focused on avoidance as the greatest means of reducing risks of interactions. The gaps in knowledge of how entanglements occur coupled with uncertainty of the whales movement and current foraging habits makes the requirement to approach fishing interactions and NARW movement from a precautionary approach all the more important.

.../3

-3-

DFO staff has framed prioritized potential solutions prioritized to mitigating NARW entanglements by their likelihood to of preventing entanglement. Prevention of entanglements (e.g. season changes, rope reduction) should be afforded the highest priority, followed by mitigation (e.g. changes to gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly, therefore the focus is on preventing interactions from occurring by reducing the spatial overlap of fishing activity when whales NARW are present.

Conservation and Protection and Science Branches are both working on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW are confirmed in the Maritimes Region.

SCIENCE ADVICE

The new NARW management measures in multiple species for marine mammals proposed in this note to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches which that have been used in other fisheries (e.g. snow crab) and jurisdictions (e.g., United States). The proposals were developed in collaboration with DFO programs, including Science, and the fishing industry. Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. Monitoring and reporting will be required to assess the effectiveness of these measures over time.

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops.

Comment [SN19]: I think you need to include a summary of where we are consistent with the Gulf (and Québec) and where we differ – and why. I think the case for Critical Habitat is strong, but if the other regions are doing dynamic closures in the "potential foraging areas", why aren't we? The other regions currently don't have triggers outside those areas. I think you need state that clearly and explain why. Are these areas deemed to be of higher risk? Perhaps because the NARW are known to transit through these waters?

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Comment [SN20]: The text Hilary put in as a place-holder was from the Gulf. I have modified it to be more consistent with the proposed Maritimes measures.

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EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations.

NEXT STEPS

The Maritimes Region will hold several table-top exercises to test the draft NARW Response Protocol (TAB 1). This document will remain evergreen and will be updated as required in the coming months.

Annette Daley
Regional Director
Fisheries Management

.../4

-4-

Attachment(s): (2)

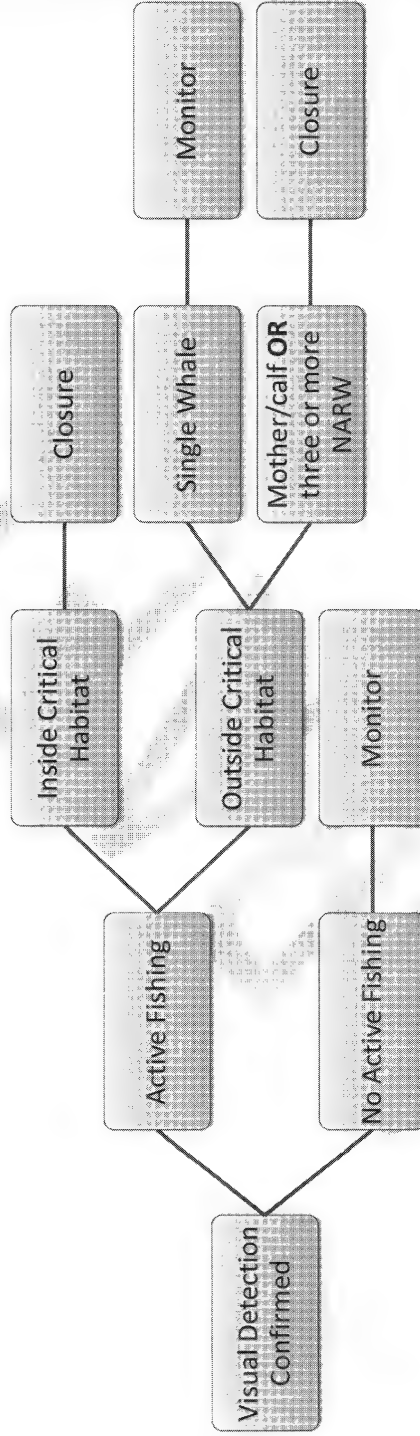
- 1) *Draft Maritimes Region North Atlantic Right Whales Response Protocol*
- 2) *Static and Dynamic Management Measures- Gulf Region 2018*

M.Sweet/C.Waters/J.Berthier/A.Daley/MEValkenier/bh

**Maritimes Region Draft Response Protocol:
Confirmed Detection of North Atlantic Right
Whales**

April 26 2018

Decision Tree



North Atlantic Right Whale: Maritime Region Response

Introduction....

Step 1. Confirmation of Reported Sighting

DFO's Science Branch reviews reported NARW sightings. Reports are forwarded from multiple entities and need to be vetted.

Where a sighting is confirmed, relevant information is shared via email or phone with the Marine Mammal Response Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca / (902) 221-7269

Where a sighting is confirmed, relevant information is shared via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is responsible for consulting the website for updates on a daily basis. (change this for when WhaleMap is up and running to simply be presence is confirmed via WhaleMap)

Comment [D1]: HBM - This is not Science's protocol. RM will have access to daily sightings map (or an update that says "no whales"), sent out every morning by 11:00. We will not be contacting RM when we get confirmed sightings. Science will report sightings from our aerial platforms to SitCen in real-time, and Sit Cen will send out Gulf sightings in real-time, but to the best of my knowledge real-time sightings from other regions (like in Mar waters) will not be distributed in real-time.

Step 2. Determine if in Active Fishing Area

RM will determine whether or not the confirmed sightings are in an active fishing area. The chart in *Appendix A* should be referenced for this step.

If considered to be an active fishing area, proceed to Step 3.

Step 3. Determine if in Critical Habitat

RM will determine whether or not the confirmed sightings are in Critical Habitat. Refer to *Appendix ??*

If inside Critical Habitat, proceed to Step 4: -Closure

If outside Critical Habitat, response will be determined by the number of whales confirmed. If less than 3 NARW, no closure will occur. If three or more NARW or a confirmed mother and presence of a calf are confirmed, a closure will occur.

Comment [D2]: HBM - From a Science perspective, having CH as a special case with enhanced mitigation makes sense to me (and I have provided several comments in the BN which justifies use of CH for special response actions given that CH are known foraging habitats). I will point out that this is different than the Gulf approach which uses the 'potential foraging areas' and that if 'potential foraging areas' were to be used in Mar region that this would include other areas outside of identified CH.

Comment [D3]: HBM - See comments below on these triggers.

Comment [D4]: HBM - Three whales in what size area? Three whales on their own is not very informative and will not be a very effective trigger. Should specify a whale density (ie, three whales in a specified area), rather than just "three whales". This is a major issue that will need to be addressed if you are using three whales as a trigger.

Note that this is different than what Gulf is doing.

Comment [D5]: HBM - Minor point: Do you need to confirm presence of mom to initiate; can it just be confirmed presence of a calf?

Note that this is different than what Gulf is doing.

Step 4: Response Options

A) Option Dynamic Area Closure

Dynamic closures are considered for the following situations:

- Single Whale in known Critical Habitat - Active Fishing Area
- Three or more NARW - Active Fishing Area
- Mother and calf - Active Fishing Area

When a NARW (or one of the other scenarios as laid out above) is confirmed in a known Critical Habitat (Appendix A), fisheries will be closed and planned openings will be delayed. A Dynamic Closure will be implemented via a pre-determined grid system (Appendix #) covering a 3 x 3 (9 total) grid with each grid representing 10 x 10 minutes. The closure will remain in effect for a 15 day period after which time it will expire unless there are additional confirmed sightings. Details of the closure being removed are outlined below.

Resource Management- Marine Mammal Advisor/Response Coordinator

- Consult fisheries opening list (Appendix B-attach) for active fisheries and confirm with Senior Advisors/Managers which fisheries are active in the area.
- Inform counterparts in other Atlantic Regions and NHQ of situation and actions to be taken.
- Relay following information to the *Distribution List* and arrange initial call:
 - Required action to be taken
 - Coordinates of whale(s)
 - Map of sightings
 - Time and date of sightings reported
 - Number of whales confirmed
 - Any other relevant/important information
- Initial call of *Distribution List* to review:
 - *Whalemap* information of confirmed sighting and overlay with active fishing.
 - Provided recommendations for:
 - i. Detail list of fisheries affected by closure
 - ii. Define the closed area on a grid map (10x10 min grid)(Appendix C)
 - iii. Draft Variation Order (VO) with C&P for Dynamic Closure (RDG approval required)
 - iv. Notice to Fishers is updated with details of pertinent information (draft Appendix D).
 - v. Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Consideration given if weather conditions are not favorable and Notice to Fishers to be worded to take this into account).
 - vi. Surveillance plan discussed
 - vii. Determine what upcoming fisheries will be impacted by closure and may require delayed opening (proactively draft Notice to Fishers).
- Daily Updates

Following the Notice to Fishers being distributed, a daily call will be organized with the *Distribution List* and invited experts will be required to update on:

 - Subsequent sightings of the same whale (if identified)- consult *Whalemap*
 - Additional confirmed sightings of other NARW
 - Confirm compliance with Dynamic Closure and concerns from C&P

Comment [D6]: HBM – Will whole CH be closed or just certain grid cells within CH?

What happens if a whale is close to CH boundary – will blocks outside CH also be closed?

For three or more whales – How will the boundary around the three (or more) whales be delineated? Will the whole area around as well as in between individual whales be closed? i.e., if the whales spread out will there be one large area closed or three (or more) smaller areas?

Comment [D7]: HBM - WhaleMap will not indicate individual animals (i.e., we can't indicate on the map if two different sightings are the same whale, even if we know they are; this would be way too confusing). So RM would have no way to get this level of info from WhaleMap (and as well, because we don't do photo ID ourselves there will likely be some lag between when we get a sighting and when NEAq can confirm ID, so we are highly unlikely to have or be able to provide this type of info as part of a daily update).

Conservation and Protection

- Action Notice to Fisheries via the Marine Broadcast. Notice is to be repeated for a 15 day period.
- Draft Variation Order with RM
 - If there are no confirmed sightings during the 15 day period, the fishery can reopen. If there are confirmed sightings, VO to be extended an additional 15 days from last confirmed sighting.

Communications

- Communications materials are prepared and circulated through regional/national approvals. Upon approval and as the variation order is published, materials are distributed and media contacts are notified.

Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15 day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

B) Monitoring

Monitoring is considered for the following situations:

- a. Whales – Not in Active Fishing Area
- b. Less than 3 Whales – Active Fishing Area (outside Critical Habitat)

Resource Management- Marine Mammal Advisor/Response Coordinator

- Consult fisheries opening list (*Appendix B*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- Inform counterparts in other Atlantic Regions and NHQ of situation.
- Relay information to the *Distribution List*
- Call a meeting of *Distribution List*.
Meeting intent:
 - Review *Whalemap* and confirmed sighting and overlay with active fishing in Maritimes.
 - Provided recommendations for:
 - i. Surveillance plan discussed;
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitat, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.
- Draft Variation Order with C&P (proactively in the event that a closure is required. Not to be distributed at this step).

- Notice to Fishers is updated with details of pertinent information (appendix ##DRAFT Notice to Fishers). Notice to Fishers issued that a NARW has been detected, the Department is monitoring, conducting surveillance and requests harvesters to report sightings of NARW).
- Daily Updates
Following Notice to Shipping and Notice to Fishers a daily call will be organized by RM with the *Distribution List* and invited experts will be required to update on:
 - Subsequent sightings of the same whale (if identified)
 - Additional confirmed sightings of other NARW
 - Confirm compliance with dynamic closure and concerns from C&P
 - Surveillance measures required

Conservation and Protection

- Action Notice to Fishers via Marine Broadcast. Notice is to be repeated for a 72 hour period.
- Draft Variation Order with RM

Communications

- Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

Additional Considerations

The following questions will need to be discussed with relation to the specifics of the situation. Some of the questions are not likely able to be answered.

- What does the Department intend to do with possible duplicate sightings? i.e. 3 whales reported but we can't confirm they are not the same whale? Err on the side of caution?
- Are NARWs believed to be foraging or transiting through the area?
- What gear type currently being used in the area poses a risk to NARWs?
 - List those fisheries that are active and gear types which do/do not pose a risk.
- Is it advisable to close fisheries? If so in which area (refer to map with grid system)
 - If closure takes place, should fisheries in adjacent areas be put on alert?
 - Should they be asked to not leave gear unattended? What does this mean for different gear types?
- Is it more harmful to leave gear in place or require fleets to remove their gear?
 - If gear is determined to be a risk, how much time should be given for gear to be removed? (72h adequate?)
 - Should it be a staggered removal so not as many vessels are hauling at the same time?
- Will we remove the closure early if we have confirmation that whales have left the area?

Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
	Brad Pye	(902) 499-0923	Brad.Pye@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Pamela Emery	(902) 426-7451	Pamela.Emery@dfo-mpo.gc.ca
	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437	Catherine.Merriman@dfo-mpo.gc.ca
	Heidi Schaefer		
Oceans	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

Comment [D8]: HBM - Please just include Sherry and Hilary on this distribution list. Note that we are working on a generic "Team Whale" email address that we will likely switch this contact to that we will ensure someone is always assigned to monitor as people go on vacation/in the field/ etc. But for now, just Sherry and I would be good.

Important numbers (not distribution list)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- Marine Mammals and Whales
XMARWhaleSightings@dfo-mpo.gc.ca

1-844-800-8568

Whale Alert mobile application

- **Sea Turtles**

Canadian Sea Turtle Network

info@seaturtle.ca

1-888-729-4667

To report dead and distressed marine animals:

- **Marine Animal Response Society**

marineanimalresponse@gmail.com

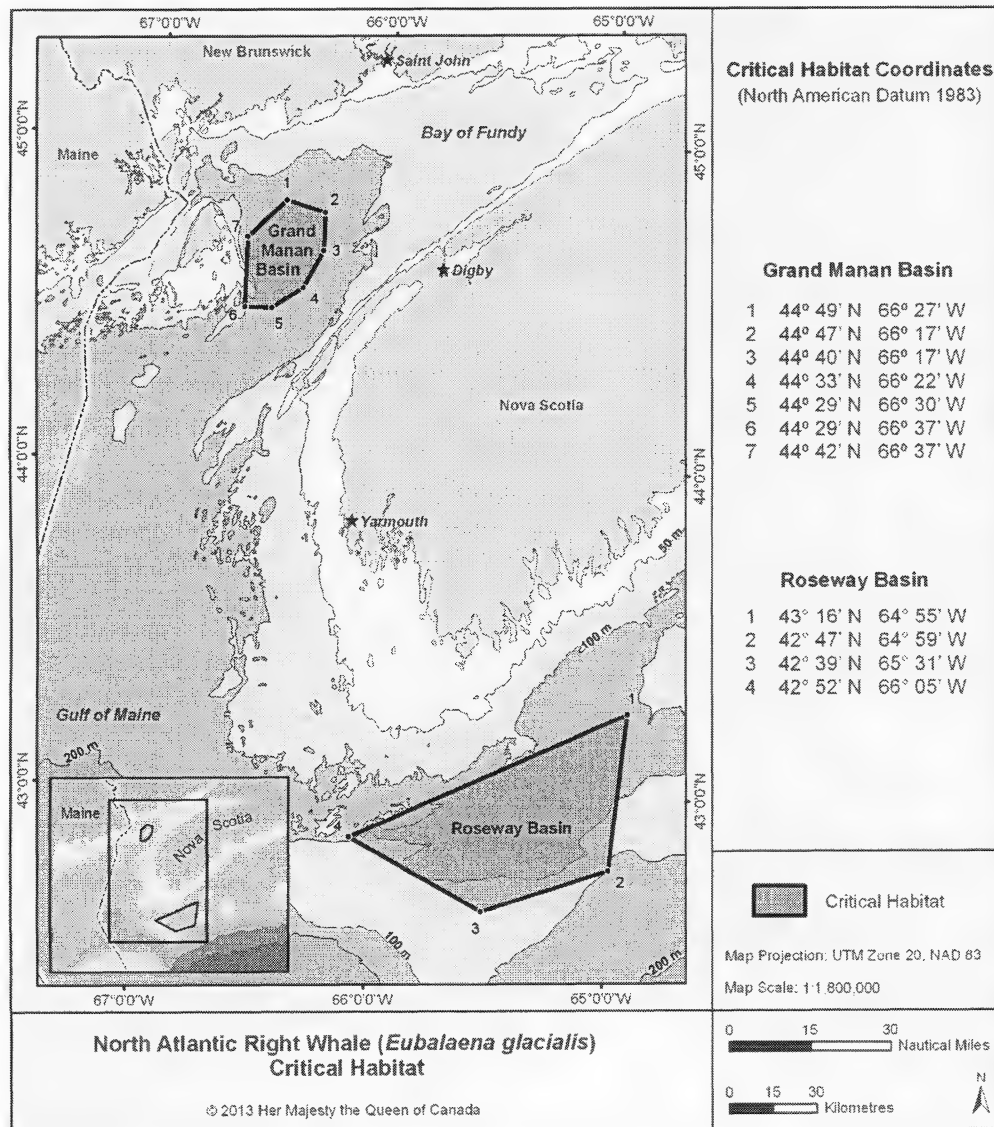
1-866-567-6277

VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

Appendix A: North Atlantic Right Whale Critical Habitat



From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters

Appendix B: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round					Yes
4WX5z	Groundfish	Gillnet		Year-round	*5Z is closed early. Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round	*5Z is closed early. Feb-Jun 1				Yes
4Vn	Atlantic halibut	Longline		Year-round	now				No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	May 9	Jul 9				No
LFA 29	Lobster	Traps/pots	63 licences	May 10	Jul 10				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No

LFA 33	Lobster	Traps/pots	695 licences	Nov 26	May 31	No
LFA 34	Lobster	Traps/pots	979 licences	Nov 26	May 31	No
LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31	No
LFA 36	Lobster	Traps/pots	177 licences	Nov 13	Jun 29	No
LFA 38	Lobster	Traps/pots	136 licences	Nov 13	Jun 29	No
Grey Zone	Lobster	Traps/pots		Jun 30	Nov 09	Yes
LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31	Yes
	Hagfish	Traps/pots		(may be closed this year) Apr 12	Oct 01	Yes
	Herring	Gillnet		Year round but active Summer/Fall		No
	Whelk/inshore	Traps		Late Summer/Fall		No
	Whelk/offshore	Traps	700 traps	Late Summer/Fall		No
	Large Pelagics	Longline	Approx 45 active licences	Year round but active May-Nov		Yes
	Mackerel	Gillnet		Apr 01	Dec 01	No
CB Area	Mackerel	Trapnet		Early Summer-November		No
CB Area	Herring	Trapnet		Early Summer-November		No
CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 14 - May 13 & July 21 - Aug 18		No
CFA 23	Snow crab	Traps/pots	62 licences	Apr 01	Aug 31	Yes
CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31	Yes
CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31	Yes
LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17	
LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10	
LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31	
LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31	No
LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31	
LFA 29,31a,31b,32	Rock Crab	Traps	12 licences	Aug 07	Dec 31	
LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22	
LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07	
LFA 36	Rock Crab	Traps	5 licences	Mar 01	Dec 31	No

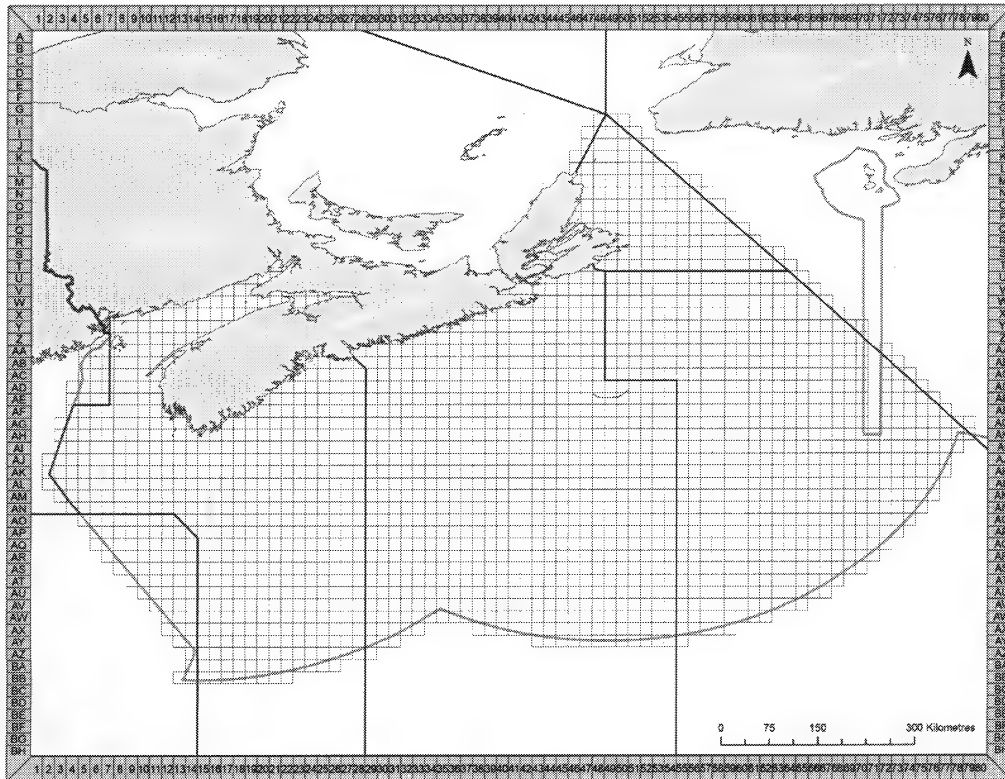
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Mar 01	Dec 31	Yes
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Note: (For 4WX5 groundfish) VMS is required on all EA and ITQ fleets, as well as licences in the Fixed Gear <45' fleet authorized to use a vessel greater than 34'11", unless they are handline-only.

Green = updated

Blue = active fishery, may require coverage

Appendix C: Maritimes Region in 10x10 minute grid

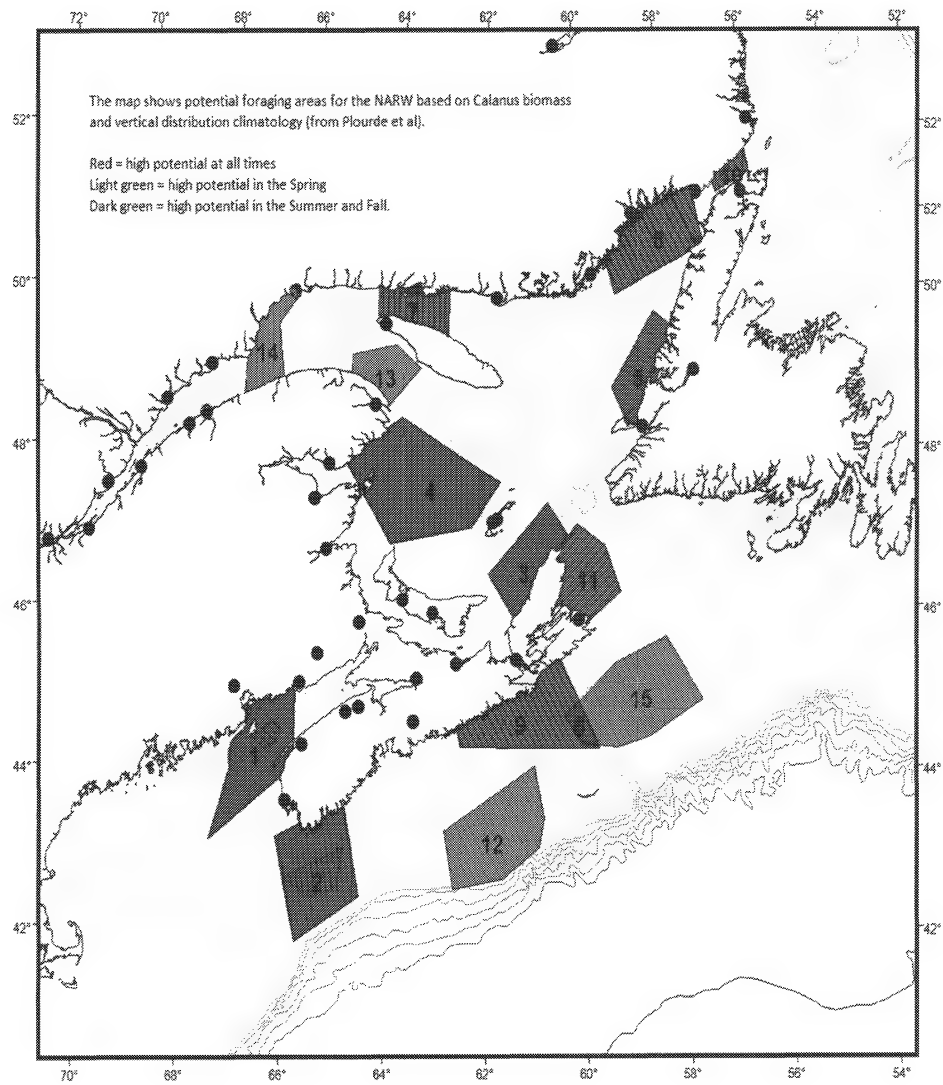


Appendix D: Notice to Fisheries (draft)

Appendix #: Draft Variation Orders (get from Joe-C&P)

No information has been removed or severed from this page

For reference only: Predictive Map of Potential Foraging Areas by Time of Year



MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: May-01-18 2:01 PM
To: Burns, Adam; Daley, Annette; Doucet, Serge; Ellen Burack; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; King, Rhea L; Lambert, Robert; Landry, Jean; Laverdure, Louise; Paul Scott; Perry, Jacqueline; Quinn, Frank; Valkenier, Mary-Ellen; Vézina, Alain; Vincent, Patrick; Winfield, Nicholas; tracy.chatman@tc.gc.ca; Stewart, Julie; Jenkins, Randy; Dwyer, Judy; Bouchard, Nicole; Lemire, Maryse; Jackson, Ashley; Gilchrist, Brett
Cc: Butler, Annette; Neary, Lynn; Hébert, Linda M; Richard, Tina; Bois, Lucie; Couturier-Dubé, Geneviève; Bellfo, Elyse; Pellerin, Patricia; Gagné, Danie; Ivany, Zarinah
Subject: For Review: Draft agenda for ASC for NARW May 9 / Pour examen: Ébauche de l'ordre du jour du CDA pour BNAN le 9 mai
Attachments: Draft Agenda - ASC for NARW May 9 2018.docx

Good afternoon,

For your review, please see the attached *draft* agenda for the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on May 9, 2018. Please advise if you would like to provide or receive updates on other items. Thank you.

Pour examen, vous trouverez ci-joint *la version provisoire* de l'ordre du jour pour la réunion du Comité directeur de l'Atlantique sur la baleine noire de l'Atlantique Nord le 9 May 2018. Veuillez nous indiquer si vous voudriez fournir ou recevoir des mises à jour sur d'autres sujets. Merci.

Bonne après-midi.

Sheila

Sheila Prall Dillman

Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

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Agenda

Atlantic Steering Committee for the North Atlantic Right Whale (NARW)

May 9, 2018, 11:00 a.m. – 12:30 pm AST

Teleconference: 1-877-413-4781 Code: [REDACTED]

Ron Trites Boardroom, 4th floor, Polaris Building, BIO

	TIME	TOPIC	PRESENTER
1	11:00 – 11:05	Welcome and Introductions Review Record of Discussions	Mary-Ellen Valkenier, Regional Director General, Maritimes Region
2	11:05 – 11:15	Research, Risk Assessment and Monitoring <ul style="list-style-type: none">Update on the global surveillance plan, reporting of sightings and the results of surveys to date	Jean Landry, Director, Fish Population Science, NHQ
3	11:15 – 11:40	Fisheries Interactions <ul style="list-style-type: none">Update on recent discussions regarding static and dynamic closures and related protocolsUpdate on the NARW Working Group, its Terms of Reference, and related protocols	Adam Burns, Director General, Fisheries Resource Management, NHQ Frank Quinn, Regional Director, Fisheries Management, Gulf Maryse Lemire, Regional Director, Fisheries Management, Quebec Annette Daley, A/Regional Director, Fisheries Management, Maritimes Robert Lambert, A/Regional Director, Fisheries Management, Newfoundland and Labrador
4	11:40 – 11:55	Shipping Interactions <ul style="list-style-type: none">Update on the implementation of the mandatory slow-down zones in the Gulf of St. LawrenceUpdate on Transport Canada's analysis of options for areas outside the slow-down box in the Gulf of St. Lawrence	Tracy Chatman, Marine Safety Policy Advisor, TC Julien Gaudet, CCG Superintendent, Marine Traffic and Communications Services Paul Scott, Special Advisor, East Coast Vessel Strategies, TC
5	11:55 – 12:10	Marine Mammal Response (MMR) <ul style="list-style-type: none">Update on preparations for MMR, including the status of contribution agreements with response organizations and the large whale disentanglement protocol	Brett Gilchrest, International Fisheries Officer, NHQ
6	12:10 – 12:30	Communications Update	Ashley Jackson, Senior Advisor, Communications

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: May-10-18 3:55 PM
To: Burns, Adam; Daley, Annette; Doucet, Serge; Fagan, Ashley; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; Jackson, Ashley; Lambert, Robert; Landry, Jean; Paul Scott; Perry, Jacqueline; Tracy Chatman; Valkenier, Mary-Ellen; Vincent, Patrick; Rivierre, Antoine; Boudreau, Suzie; Williams, Wendy; Faubert, Diane
Cc: Couturier-Dubé, Geneviève; Pellerin, Patricia; Bellfo, Elyse; Ivany, Zarinah; Butler, Annette; Arsenault, Rachel
Subject: For Review: Draft RD - ASC for NARW May 9, 2018 / Pour examen: Ébauche de CR - CDA pour BNAN le 9 mai 2018
Attachments: Draft Record of Discussion - ASC for NARW May 9 2018 (2018-05-09 -V3) .docx

Good afternoon,

For your review, attached is the draft Record of Discussion from the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on May 9, 2018. Please advise if you have any edits to the record by May 17, 2018 (it will then be sent for translation).

Pour votre examen, vous trouverez ci-joint le compte rendu des discussions de la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 8 mai 2018. Veuillez me dire si vous avez des modifications d'ici le 17 mai 2018 (il sera envoyé ensuite pour la traduction).

Bonne après-midi.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
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Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on May 9, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Mary-Ellen Valkenier	Regional Director General
Annette Daley	A/Regional Director, Fisheries Management (Chair)
Wendy Williams	A/Director, Ocean Management
Donald Humphrey	Manager, Species at Risk Management Division
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Quebec Region	
Patrick Vincent	Regional Director General
Antoine Rivierre	Regional Senior Agent, Fisheries Management
Suzie Boudreau	Manager, Fisheries Management
DFO Gulf Region	
Serge Doucet	Regional Director General
DFO Newfoundland and Labrador Region	
Robert Lambert	A/Regional Director, Fisheries Management
Canadian Coast Guard, Atlantic Region	
Diane Faubert	Operational Requirements Analyst
DFO National Headquarters	
Adam Burns	Director General, Fisheries Resource Management
Darren Goetze	Director General, Conservation & Protection
Jean Landry	Director, Fish Population Science
Ashley Jackson	Senior Communications Advisor
Transport Canada	
Paul Scott	Special Advisor, East Coast Vessel Strategies
Tracy Chatman	Marine Safety Policy Advisor



	TOPIC	LEAD
1.	Welcome and Introductions Review Record of Discussion	Annette Daley
<i>Canada-United States Transboundary Steering Committee</i> On behalf of Mary-Ellen Valkenier, Annette Daley provided an update on the Canada-United States Transboundary Steering Committee meeting on May 2, 2018. Through the Species at Risk Working Group, Donald Humphrey had provided an update on the management measures being implemented in Atlantic Canada. Officials from the National Oceanic and Atmospheric Administration (NOAA) were pleased with the measures being taking and emphasized that they want to continue working collaboratively to manage the risks to NARW. <i>Record of Discussion, April 25, 2018</i> The Record of Discussion from the meeting of the Atlantic Steering Committee on April 25, 2018, was circulated earlier. Any edits should be provided to Sheila Prall Dillman by May 11, 2018. It will then be considered final.		
2.	Research, Risk Assessment and Monitoring	Jean Landry
<i>Recent survey results</i> Jean Landry provided an update that the process for coordinated survey flights is going well and several areas across Atlantic Canada have been surveyed. There have been no sightings of NARW in Canadian waters yet. Science has access to NOAA's sightings data as well. Many NARW were sighted off the coast of Cape Cod in April but the numbers have decreased substantially in May. Where they have gone is not known. <i>Procedure for validating sightings on the weekend</i> Science and Conservation & Protection (C&P) has developed a procedure for validating sightings from C&P flights over the weekends. Four employees in Science, one in each region in the Atlantic, have been identified to receive survey information (e.g., photos) when the observer is uncertain about whether or not an observation is a NARW. The scientists will agree among themselves on timeframes over the weekends that each of them will be available to validate sightings. They will have access to the flight plane for the weekend so they will know when sightings are possible. The scientist who is on duty will respond quickly so that C&P can enter the sightings data into the SIS (Surveillance Information Server). The details of this plan are being finalized, e.g., to confirm if the size of the images can be emailed. It was suggested that Science test this procedure (e.g., in a table top exercise). It was noted that the Maritimes Region will also have a Marine Mammal Coordinator (or alternate) on stand-by over the weekend to respond to incidents. <i>Public access to WhaleMap</i> Jean Landry advised that WhaleMap will be ready to announce publically in the next two to three weeks. It is already accessible to the public but Dalhousie University will not advertise it until they receive the "green light" from DFO. It is important that senior management and the Minister's office be aware that the public has access to data on NARW sightings and survey flights from a number of sources, e.g., DFO, Transport Canada, the New England Aquarium. C&P's flights will be omitted as they relate to monitoring and enforcement activity. There are a number of considerations related to WhaleMap: when and by whom will the Minister's office will be briefed about it; who will extract weekly maps from WhaleMap for briefings through the season; will there be time to inform senior management and the Minister's office about observations before they are posted on WhaleMap; who will have access to the password protected version of WhaleMap that will include non-validated sightings; and possible questions about intellectual property and access to information. WhaleMap will be discussed with the Senior Executive Steering Committee on Whales to develop a strategy.		



Notice to Fish Harvesters and map on DFO's website

Adam Burns provided an update that the Minister asked DFO to proactively provide regular updates to harvesters and the media about NARW sightings, including when there are no sightings. Therefore, a Notice to Fish Harvesters will be issued that directs people to DFO's website where maps of survey flights and observations are posted. The website includes a one-line explanation that there are no confirmed sightings of NARW in the Gulf of St. Lawrence to date so people do not need to interpret maps. (Link to DFO's website: [On alert for whales.](#))

For Action:

Whale Alert distribution list

The Regional Directors General asked to be included in the Information Flow Protocols for Fisheries Management Measures. Adam Burns will update the Whales Alert distribution list (see Annex 1) to include the four Regional Directors General so they will receive the daily reports on sightings. Science will likely continue to produce daily reports on sightings through the season as it will be timelier than WhaleMap. Jean Landry will also update Michael Elliott (who prepares the daily maps) on the change to the distribution list.

The regions will be responsible for notifying Randy Jenkins of any changes for the Whale Alert distribution list, especially during the summer with vacations.

s.21(1)(b)

3. Fisheries Interactions

Adam Burns

Adam Burns confirmed that the Minister has been firm with the fishing industry that the protocols for static and dynamic closures in the Gulf of St. Lawrence will remain in place, [REDACTED]

NARW Working Group

Brett Gilchrest will bring together the first meeting of the NARW Working Group soon and will provide an update at the next meeting of the Atlantic Steering Committee. The working group will meet daily, as required, to review the sightings for areas that are not subject to the closure protocols to consider, for example, how many whales are sighted, the proximity to fishing activity, how many vessels are transiting the area. Transport Canada will participate in the working group as well. The working group will provide recommendations on management measures to the Regional Directors of Fisheries Management. Even though there have been no sightings yet, the working group will meet to test the protocols. (See the 2018 Information Flow Protocols for Fisheries Management Measures distributed for this meeting.)

For Action:

The Regional Directors General asked that a Terms of Reference be developed for the new NARW Working Group so that it receives clear direction on the frequency and scope of its discussions and what is required for decision-making to ensure that regions act similarly and that protocols are well-entrenched without delays in taking action. Adam Burns confirmed that a Terms of Reference will be developed and it can be presented to the Atlantic Steering Committee for endorsement.

Protocol for flow of information, including MCTS

There was recently an opportunity to test the protocol on the flow of information. A recent report of a suspected entanglement was investigated, and while it was not an entanglement, the experience clarified that the Marine Communications Traffic Services (MCTS) should send notifications to the Marine Mammal Coordinators, rather than directly to the response organizations. After business hours, the notification could possibly be sent to the Whale Alert email distribution list.

For Action:

Adam Burns will provide the relevant contacts to Diane Faubert to update procedures at the MCTS. It was emphasized that it is important to keep the MCTS advised of any changes.



Management measures for critical habitat in Maritimes Region

Annette Daley provided an update that the Maritimes Region is in the process of submitting a memorandum to the Minister recommending that areas defined as critical habitat for NARW in Roseway Basin and Grand Manan Basin have dynamic closure management that mirrors the approach in the Gulf of St. Lawrence.

For Action:

Annette Daley will confirm that the memo is being routed through Sylvie LaPointe's office, as intended, and she will share the memo with Jean Landry.

Jean Landry emphasized the importance of all regions involving the NARW Coordination Group in Science (beyond regional contacts in Science) in discussions of proposed management measures so that Science can maintain consistency in its advice to management with respect to NARW.

4.	Marine Mammal Response (MMR)	Adam Burns
Adam Burns provided an update that Contribution Agreements with the response organizations eligible for MMR activities are progressing well and going through the approval process. Fisheries Resource Management has been well-engaged with respect to potential impacts to funding through the Habitat Stewardship Program as a result of changes in the MMR Program so that groups will not unintentionally receive less funding overall this year.		
5.	Shipping Interactions	Tracy Chatman Paul Scott

Dynamic closure instituted on May 9, 2018

Tracy Chatman provided an update that the weather has prevented Transport Canada from having two complete survey flights over the shipping lanes with protocols for dynamic management. As a result, the protocol requires a mandatory slow-down to 10 knots, which was instituted on May 9, 2018, at 5:00 p.m. There was minor confusion initially but it is going well now. It was explained that Transport Canada's protocol for a clear and completed flight requires winds below 15 knots. There were too many white caps for surface sightings of NARW with the winds recently at 25-30 knots. Flights are ongoing and Transport Canada hopes to have two clear and completed surveys soon.

Explaining the precautionary approach

Transport Canada is having weekly calls with the shipping industry. Industry representatives are concerned about having a slow-down when there are no confirmed sightings. Transport Canada has explained that they are taking a precautionary approach because not sighting the whales does not mean they are not present. Transport Canada recognizes there is an impact on commercial operations and is continuing to speak with the industry about it.

It was recommended that Transport Canada and DFO be careful with language around observations to avoid the misunderstanding that no confirmed sightings means there are no whales, and that it be explained that the government is taking a precautionary approach.

Options for areas outside the slow-down zones in the Gulf of St. Lawrence

Paul Scott provided an update that Transport Canada is considering a similar approach to DFO for managing risks outside the static and dynamic zones in the Gulf of St. Lawrence. The analysis of options is complicated by the fact that most resources, e.g., survey flights, have been dedicated to the Gulf of St. Lawrence. Transport Canada is comfortable with the idea of assessing situations as they arise and scaling the response to the risk. Transport Canada will participate in DFO's daily calls of the NARW Working Group to review the sightings data and to develop recommendations for senior management. They need to confirm who will make decisions based on this analysis, as there have been changes in senior management at Transport Canada. The acting Director General of Environmental Policy (Michelle Saunders) has been briefed on the plans, but further consultation is required internally and with DFO.



6.	Communications Update	Ashley Jackson
<p>Ashely Jackson provided an update that Communications is working with Fisheries Resource Management on the Notice to Fishers (described above) and is continuing to implement the approved Communications Plan for Whales in 2018 (see the plan distributed for this meeting). This includes building web content, posting on social media and finalizing graphics with a focus on explaining approach distances, reporting live/injured/dead marine mammals, and surveillance efforts underway. (Link to DFO's website, Protecting Canada's Endangered Whales.)</p>		
7.	Next Meeting	
<p>The next bi-weekly meeting of the Atlantic Steering Committee will be on May 23, 2018.</p>		

Caines, Allison

From: Schaefer, Heidi
Sent: Wednesday, May 2, 2018 2:17 PM
To: Humphrey, Donald; Merriman, Catherine B
Subject: RE: NARW Regional Coordination Meetings

Hi, Here are some key points from this meeting yesterday.

- Annette reiterated the requirement that any dialogue or communication with stakeholders and the US regarding NARW should be shared with NHQ for their awareness. What this means to staff, and with whom to communicate in NHQ, remains unclear. One possible solution would be for Sectors to prepare forward-looking schedules of known or planned communications (rather than sending one-offs). Still don't know who these would be sent to. Annette not interested in being the inbox for this.
- Resource Management is preparing to send their Fisheries Management response protocol which proposes dynamic closures in existing CH to MINO for approval. They have drafted a memo which has been shared with Science. I asked that SARMD have the opportunity to input. (Follow-up: Marilyn sent to me yesterday and I provided comments this morning). The actual protocol itself hasn't been shared with us. They are aiming to send this to NHQ by Friday.
- The decision not to fund MM response using HSP funds this year was discussed. Response groups will be completely funded by MMRP funds. This technically results in less \$\$ for groups apparently, so MMRP is providing some top-up... but it's still not the same and overall they will get less funds than in previous years. Apparently they have been made aware.
- The NARW National Working Group that will meet daily at 11:30 to discuss the daily maps has not met yet. Annette strongly recommended that this group be struck and begin developing its mandate and TOR, and pulling together all of the necessary information (e.g. maps, lists, etc.) rather than waiting for the first whale to show up and then figuring it out. She requested that Cathy and Marilyn should push for this meeting to be called ASAP and for this work to begin. There will also be a need to identify alternate participants for this group this summer to cover off vacations.
- Annette would like there to be a Regional working group that mimics the National Working Group, and that will be responsible for operationalizing the advice/direction provided by the National Working Group. Perhaps this could be the Right Whale mitigation working group???
- Regarding the Fisheries Management response protocol, there will be another meeting scheduled to continue to trouble-shoot the protocol and to firm up details before engaging in an actual test run/table top exercise.

+

-----Original Appointment-----

From: Humphrey, Donald
Sent: Thursday, March 29, 2018 11:08 AM
To: Humphrey, Donald; Niven, Sherry; Waters, Christa; Prall-Dillman, Sheila; Sweet, Marilyn
Cc: Daley, Annette; King, Rhea L; Vézina, Alain; Berthier, Jacinta; Schaefer, Heidi; Graham, Kerri; MacDonald, Heidi; MacDonald, Carl; Buott-Matheson, Debra; Hayden, Jazmine; Gentile, Paul; Millar, Harvey; Comley, Mark; Cheney, Sarah; Surette, Dwayne E; Pye, Brad
Subject: NARW Regional Coordination Meetings
When: Tuesday, May 1, 2018 10:30 AM-11:30 AM (UTC-04:00) Atlantic Time (Canada).
Where: Ron Trites BIO, Call-in toll-free number: 1-877-413-4781 Passcode: [REDACTED] s.16(2)

Just updating the series invitation with the new teleconference number and passcode.

Hi Everyone, our RDs would like for us to start meeting on a regular basis again to discuss plans and share information in preparation for NARW season.

1-877-413-4781

613-960-7510

These meetings would be similar to those that we had held in the past and were chaired by Doug/Annette but at a middle management/operational level.

Please feel free to invite anyone I might have missed or send a delegate if necessary.

Thanks, Donald

s.16(2)

Teleconference Information:

Caines, Allison

From: Schaefer, Heidi
Sent: Wednesday, May 2, 2018 2:19 PM
To: Merriman, Catherine B
Subject: FW: BN comments form SARMD
Attachments: BN MM dynamic 2018 NARW draft May 1_SARMD.docx; RE: BN MM dynamic 2018 NARW draft May 1.docx

Hi Cathy, FYI, these are the comments I sent to Marilyn. I tried not to play to role of editor, and made these comments knowing that Science would also be feeding in (their comments are attached).

Heidi

From: Schaefer, Heidi
Sent: Wednesday, May 2, 2018 10:11 AM
To: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>
Subject: BN comments form SARMD

Hi Marilyn, Here are my comments. Thanks for the opportunity to review.

Heidi

s.21(1)(a)

s.21(1)(b)

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE MANAGEMENT
MEASURES FOR MARITIMES REGION -2018**

For Approval

SUMMARY

This note is seeking your decision on the use of dynamic closures to ~~options to reduce the risk of address~~ North Atlantic Right Whale (NARW) interactions with fixed-gear fisheries in the Maritimes Region in the 2018 fishing season. ~~dynamic closures for fixed-gear fisheries in the Maritimes Region for the 2018 fishing season.~~ The intent of these closures is to reduce the possibility of interactions with the endangered North Atlantic Right Whales (NARW).

Commented [SH1]: Suggested wording to say the same thing with fewer words.

Several new measures focused on marine mammals have been implemented in the Maritimes Region for the 2018 season. These measures are in response to requirements under the United States Marine Mammal Protection Act (MMPA) and also in response to the unusual number of deaths and entanglements of NARW in the Gulf of St. Lawrence in 2017.

Commented [SH2]:

The details of the parameters of these actions are being finalized in the draft NARW Response Protocol included in TAB 1. The protocol for dynamic and static closures for the Gulf Region are included in TAB 2.

BACKGROUND

North Atlantic Right Whale was listed under the *Species at Risk Act* (SARA) in 2005. The current estimate for the population of NARW in 2017 was 452 animals. Of this number, only 105 are thought to be females of reproductive age and no known calves were observed in 2018 to date.

There has been an observed change in the distribution of the NARW since 2010 which has seen fewer confirmed observations of NARW in the Bay of Fundy and along the Scotian Shelf. This shift is potentially correlated to a shift in their food supply. In 2017, 12 NARW were found dead in the Gulf of St. Lawrence, with an additional 5 animals being successfully disentangled in the same area.

s.21(1)(a)

s.21(1)(b)

In addition, the Gulf Region announced several measures for dynamic and static closures for the 2018 fishing season as a means to reduce the possible interactions with fishing gear when NARW are present. This includes a static closure to fishing activity beginning April 28th, 2018 in the area where 90 percent of the whales were sighted in 2017. This static closure will cover approximately 14,000 km² and will close the area to all fixed gear fishing activity.

Commented [SH3]: 90% of all NARWs (the population), or 90% of all NARW sighted in Can waters in 2017?

STRATEGIC CONSIDERATIONS

The Maritimes Region is seeking guidance on ways to reduce possible interactions of NARW in fishing gear. Measures have been announced for areas in the Gulf of St. Lawrence, but there has not been any public announcement to date on dynamic/static closures for areas outside of the Gulf of St. Lawrence.

Commented [SH4]: I think some of the bullets below might be better placed in the background section.

Commented [SH5]: I have suggested some other points you may want to include.

SARA requires that critical habitat be identified for endangered species. Accordingly, (The Recovery Strategy for North Atlantic Right Whales identified Grand Manan Basin and Roseway Basin as critical habitat for the whales in 2009. These two areas were identified through a science-based process that concluded that these areas are assumed to contain the habitat some functions and features that are required for the recovery of the species, including foraging for adults, nursing and rearing of calves, and the resting and socialization of right whales for both adults and calves. While there has been a shift in distribution of NARW in recent years resulting in additional possible foraging areas for right whales, the two identified critical habitats in the Maritimes Region remain.

SARA includes prohibitions that protect both the listed species and its identified critical habitat. SARA Section 32 prohibits the harm, harassment, capture and killing of individuals of a listed species wherever they are found. Section 32 has been in force for the NARW since it was listed in 2005. Section 58 of SARA prohibits the destruction of the identified critical habitat within a legally defined area, and this protection relates specifically to the functions and features of the habitat itself. The Critical Habitat Order for the NARW, which brings into force S.58, was published as final in December, 2017.

Commented [SH6]: Perhaps this should be in the background section? If you're using the CH boundaries, I think it's important to explain where they came from and what they mean.

Activities, such as fishery interactions, that directly interact with individual animals are not currently considered activities that impact the critical habitat itself. Rather, they are considered with respect to S. 32. Accordingly, the NARW Recovery Strategy's required list of activities likely to destroy critical habitat does not name fisheries that present entanglement risk. Often, however, areas identified as critical habitat are also high-use areas where large numbers of individuals predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also illustrate the boundaries of areas where the greatest risk of interaction with threatening activities occurs. Using the existing critical habitat boundaries as a decision point to apply different fisheries management measures is therefore a logical approach to reduce the risk of interaction with individuals and thus assist with S. 32 compliance. Managing fisheries differently in these areas is, however, not related to the enforcement of the SARA critical habitat prohibitions.

Commented [SH7]: I think this is an important point to make. If not captured here, maybe it can be in a footnote in the protocol or something? Again, if you're using the CH boundaries for purposes that don't relate to the CH boundaries, then I think that needs to be explained (explain why it still makes sense).

As part of the Ocean Protection Plan, DFO carried out a science-based review of the effectiveness of the current management and recovery actions for three at-risk whale species in Canada; one of which is NARW. This review noted that "[r]educing the spatiotemporal co-occurrence of North Atlantic right whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled."

Two Canadian studies have identified spatiotemporal closures as a possible measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017). Vanderlaan et al. found that the use of fixed fishing gear in Canada and the U.S. is often identified as posing a high risk to right whale entanglement or entrapment. The study examined the risk of lethal interactions with different fishing gear types and right whales in Canada. The results identified higher risk fisheries based on where gear is set, the overlap of fishing season and whale presence, and the two identified critical habitats, which are both found within the Maritimes Region. It was determined that in critical habitat, groundfish bottom longline is the greatest threat during the summer residency period of right whales, while the lobster fishery, which includes many trap lines, is the greatest threat during migratory periods in spring and fall.

There is little understanding of how entanglements occur, but it is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW. There are challenges in identifying higher risk areas based on historic NARW sighting information and areas of high-use fishing activity.

.../3

-3-

Many of the recommendations from the scientific community have focused on avoidance as the greatest means of reducing risks of interactions. The gaps in knowledge of how entanglements occur coupled with uncertainty of the whales movement and current foraging habits makes the requirement to approach fishing interactions and NARW movement from a precautionary approach all the more important.

DFO staff has framed potential solutions prioritized by their likelihood to prevent entanglement: Prevention (e.g. season changes, rope reduction), mitigation (e.g. gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is

dangerous and costly, therefore the focus is on preventing interactions from occurring by reducing the spacial overlap of fishing activity when whales are present.

Conservation and Protection (C&P) and Science Branches are both working on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW are confirmed in the Maritimes Region. Currently, C&P carries out an average of 20 surveillance flights a month in the region through their regular patrols. If NARW are detected in the Maritimes Region, tasking for surveillance of C&P flights will be revisited in consultation with RM and Science. If a closure is implemented, it is recommended that there be an increase in surveillance to the closed area for the duration of the closure.

SCIENCE ADVICE

s.21(1)(a)

Science to provide input

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations.

ADVICE AND RECOMMENDATIONS

-It is recommended that you approve one of the following options for responses to NARW in active fishing areas in the Maritimes Region.



Commented [SH8]:

NEXT STEPS

The Maritimes Region will hold several table-top exercises to test the draft NARW Response Protocol (TAB 1). This document will remain evergreen and will be updated as required in the coming months.

Annette Daley
Regional Director
Fisheries Management

.../4

-4-

Attachment(s): (2)

- 1) *Draft Maritimes Region North Atlantic Right Whales Response Protocol*
- 2) *Static and Dynamic Management Measures- Gulf Region 2018*

M.Sweet/C.Waters/J.Berthier/A.Daley/MEValkenier/bh

Waters, Christa

From: Quigley, Sara
Sent: May-02-18 10:02 AM
To: Waters, Christa
Subject: FW: Lobster: Dynamic closures, Gulf Region (LFA 27)

Gulf Region is now suggesting we be the ones to raise the question with NHQ. I've set up a call for Friday with Lorne, Marilyn and C&P to discuss so that we can identify the key issues.

Is this something that Annette and/or Paul would raise verbally on a regular NARW call? Or do we need a BN?

From: Massiera, Josiane
Sent: May-01-18 11:18 AM
To: Quigley, Sara; Penny, Lorne
Cc: Leblanc, Arthur; Dwyer, Alan
Subject: RE: Lobster: Dynamic closures, Gulf Region (LFA 27)

Thanks Sara. To clarify, the Minister's committed to establish a Working Group with the Maritimes Fishermen's union (MFU) in NB upon their request as they are the one impacted (for lobster) by the static (fixed) closure. We are exploring the idea of expanding the working group to other lobster associations as they will be impacted by the dynamic (temporary) closures, but for now the Working group is with MFU.

I believe there are 34 licences holders from Gulf Region fishing in LFA 27 and no First Nation or Indigenous groups (Alan, please correct me if I'm wrong). You said there are over 500 fish harvesters in LFA 27, but how many do you think would be impacted by this

We will check with Ottawa if the dynamic protocol applies to LFA 27, I will copy you and Lorne.
Josiane

From: Quigley, Sara
Sent: May-01-18 9:27 AM
To: Massiera, Josiane; Penny, Lorne
Cc: Leblanc, Arthur; Dwyer, Alan
Subject: Lobster: Dynamic closures, Gulf Region (LFA 27)

Hi Josiane

Based on our conversation this morning, my understanding is this:

- Gulf Region has developed an approach to dynamic closures and has announced publicly that it will apply to the lobster fisheries in the Gulf this spring.
- In response to concerns raised by lobster licence holders in Gulf, the Minister announced that an industry working group will be set up to discuss these and potentially identify areas where the Department can be flexible in implementing the approach.
- The waters affected overlap with the northwest corner of LFA 27.

At this point, we're agreed that a decision needs to be made as to whether the approach to dynamic closures will apply to the LFA 27 fishery. I assume this will need to be run through MINO and, unless I hear otherwise from you, that your Region will lead on preparing the briefing material. Can we have an opportunity to review the material before it goes up? Lorne may have some comments from an Area Office perspective.

Lorne -- In the meantime, and in anticipation of a decision to involve stakeholders from LFA 27 in the industry working group, can you please advise on who best to include? I think we'd want to ensure invitations are issued to the Aboriginal groups with licences for LFA 27 (Membertou, Waycobah, Wagmatcook, Chapel island, Native Council of Nova Scotia). But in addition, there are the fishing associations. Which ones of these would have an interest?

Thanks
Sara

From: Massiera, Josiane
Sent: April 30, 2018 3:47 PM
To: Quigley, Sara
Cc: Dwyer, Alan; Leblanc, Arthur
Subject: FW: Dynamic closures

Hi Sara,
Can we discuss as soon as possible? Attached is the map of the dynamic closures.
Josiane

From: Dwyer, Alan
Sent: April-30-18 3:40 PM
To: Leblanc, Arthur
Cc: Beauchamp, Sébastien; Massiera, Josiane
Subject: RE: Dynamic closures

Hi Arthur,

I am following up with RHQ.

Alan

Alan Dwyer

Area Manager, Resource Management, Gulf Nova Scotia / Chef intérimaire de la gestion des ressources, Secteur du Golfe Nouvelle-Écosse
Fisheries and Oceans / Pêches et Océans
Gulf Nova Scotia / Nouvelle Écosse – Golfe
2920, Highway 104 / 2920 route 104
Antigonish County, NS / Comté d'Antigonish (N.-É) B2G 2K6
Telephone / Téléphone: (902) 735-7114
Fax / Télécopieur: (902) 863-5818
E-mail / Courriel: Alan.Dwyer@dfo-mpo.gc.ca

From: Leblanc, Arthur
Sent: April-30-18 8:32 AM
To: Dwyer, Alan
Cc: Beauchamp, Sébastien
Subject: Dynamic closures

Hi Alan

Last week we discussed the lobster harvesting plan and the fact that LFA 27 is not part of the plan (at it is managed by MAR), yet the dynamic closure area covers a portion of LFA 27.
Can you confirm if the dynamic closures will affect LFA 27?

If so, shouldn't Region send a clarification on the Notice with regards to LFA 27.

Arthur LeBlanc

Acting Chief,

Chef, Intérimaire

Conservation & Protection

Gulf Nova Scotia

Gulf Region

Fisheries and Oceans Canada

Conservation et Protection

Nouvelle-Ecosse -Golfe

Région du Golfe

Pêches et Océans Canada

Telephone/ Téléphone: (902) 224-4213

Cellular / Cellulaire : [REDACTED] (Voice Mail)

Facsimile / Télécopieur : (902) 224-2579

Email / Courriel Arthur.LebLANC@dfo-mpo.gc.ca

Merriman, Catherine B

From: Sweet, Marilyn
Sent: May-02-18 4:23 PM
To: Waters, Christa
Subject: Response to NARW in Mar Region-May 2.docx
Attachments: Response to NARW in Mar Region-May 2.docx

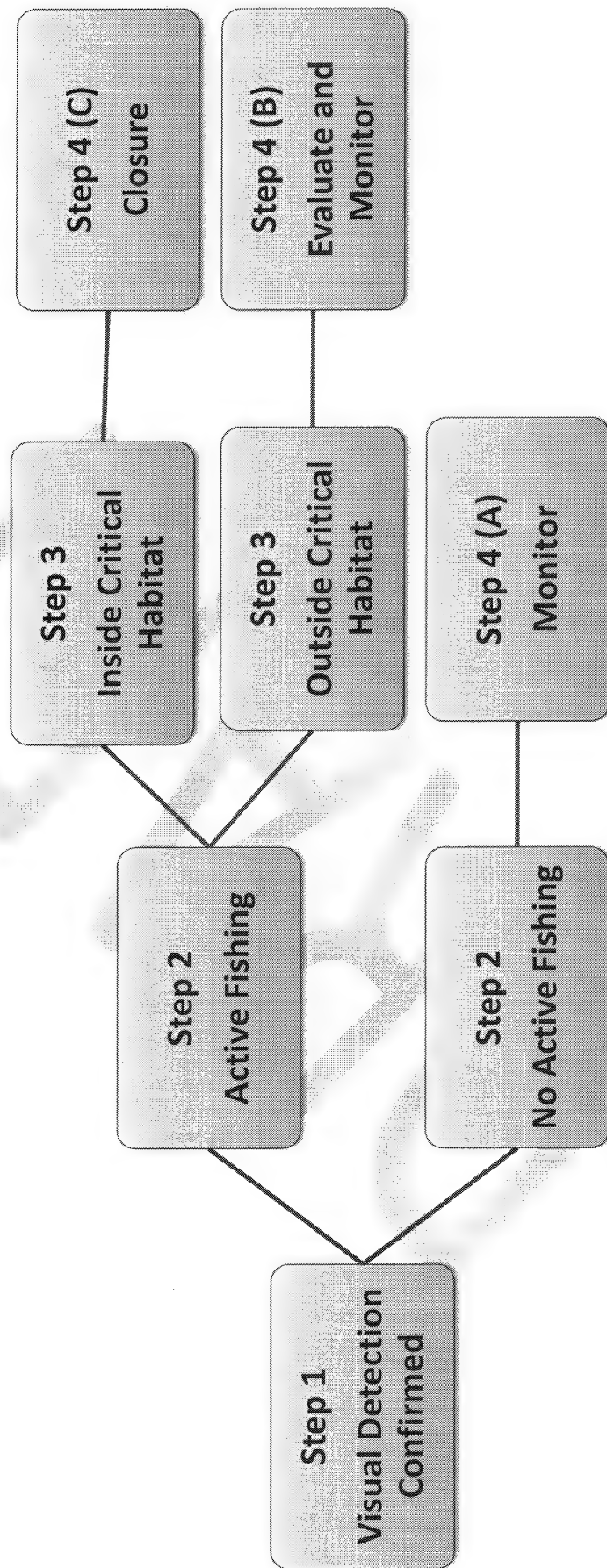
Don't know if this cut it down at all....

Maritimes Region Draft Response Protocol: Confirmed Detection of North Atlantic Right Whales

May 2, 2018

Figure 1

Decision Tree



North Atlantic Right Whale: Maritime Region Response

This protocol describes the Maritime Region response to a confirmed sighting of a North Atlantic Right Whale (NARW). The decision tree provided in Figure 1 depicts the course of action to be taken by DFO's Resource Management (RM) Branch. Where a sighting is confirmed, relevant information is shared via email or phone with the Marine Mammal Response Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca - (902) 221-7269. (*update with MM phone number when BB received)

Step 1. Confirmation of Reported Sighting

DFO's Science Branch reviews reported NARW sightings. Reports are forwarded from multiple entities and need to be vetted. Where a sighting is confirmed, relevant information is shared with the Marine Mammal Coordinator via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is also responsible for consulting the website for updates on a daily basis. (*remove above pg when WhaleMap activated)

Where a sighting is confirmed, relevant information is shared via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is responsible for consulting the website for updates on a daily basis. (*change this for when WhaleMap is up and running to simply be presence is confirmed via WhaleMap)

Step 2. Determine if the Whale is in an Active Fishing Area

Resource Management will determine whether the confirmed sightings are in an active fishing area. Refer to the chart on Maritimes Region Fisheries Times for this step (*Appendix A*). If the whale is considered to be in an active fishing area, proceed to Step 3. If whales are not in active fishing area, proceed to Step 4.

Step 3. Determine if the Whale is in a Critical Habitat

Resource Management will determine whether the confirmed sighting is in a Critical Habitat. Refer to the map depicting North Atlantic Right Whale Critical Habitats (*Appendix B*).

If the whale is considered to be outside a Critical Habitat and outside an active fishing area, the response will be to monitor the situation – **Step 4 (A) Monitor**

If the whale is considered to be outside a Critical Habitat and inside an active fishing area, the response will be to monitor and evaluate the situation on the advice of the NARW Working Group, led by National Headquarters – **Step 4 (B) Monitor and Evaluate**

If the whale is deemed to be inside a Critical Habitat, proceed to **Step 4 (C): Closure**

Step 4: Response Options

A) MONITOR

When a whale or whales are confirmed outside of active fishing areas, the Marine Mammal Advisor/Response Coordinator will monitor the situation and advise colleagues in the Maritimes (via the

Distribution List- *Appendix D*) and counterparts in other Atlantic Regions and National Headquarters of relevant information as the situation evolves (contact information in Information Flow Document- *Appendix G*).

B) EVALUATE AND MONITORING

Evaluation and monitoring of best options is considered for the following situation:

Whales are confirmed in active fishing areas outside of critical habitat

Resource Management- Marine Mammal Advisor/Response Coordinator

- Consult fisheries opening list (*Appendix A*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- Inform counterparts in other Atlantic Regions and NHQ of the situation and actions to be taken (contact information in Information Flow Document- *Appendix F*).
- Relay information to the Distribution List (*Appendix D*).
 - Required action to be taken
 - Coordinates of the whale(s)
 - Map of the sightings
 - Time and date of the sightings reported
 - Number of whales confirmed
 - Any other relevant/important information
 -
- Call a meeting of the *Distribution List*:

Meeting intent:

 - Review *Whalemap* and confirmed sightings and overlay with active fishing in Maritimes.
 - Provide recommendations for:
 - i. Discussions on a surveillance plan.
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitats, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.
 - iv. Determining what upcoming fisheries will be impacted by closure and may require delayed opening (proactively draft Notice to Fishers).
 - v. Discuss drafting a Variation Order by Conservation and Protection for Dynamic Closure. The orders are drafted proactively in the event that a closure is required but they will not to be distributed at this step. (Regional Director General approval required- Not to be approved at this step)

- Notice to Fishers is updated with details of pertinent information (*Appendix E*). Notice to Fishers issued states that: a NARW has been detected, the Department is monitoring and conducting surveillance; and requests harvesters to report sightings of NARW).

- Daily Updates

Resource Management to organize a daily call with the Distribution List and invited experts will be required to update on:

- Subsequent sightings of the same whale (if identified).
 - Additional confirmed sightings of other NARW.
 - Surveillance measures required.
- Resource Management to sit on daily call of NARW WG (organized by National Headquarters).

Conservation and Protection

- Action Notice to Fishers of sighting information via Marine Broadcast. Notice is to be repeated for a 72 hour period.

Communications

- Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

C) OPTION DYNAMIC AREA CLOSURE

Dynamic closures are considered for the following situation:

When a single NARW is confirmed in a known Critical Habitat (*Appendix B*) and within an active fishing area (*Appendix A*), fisheries will be closed and planned openings will be delayed. A Dynamic Closure will be implemented via a pre-determined grid system (*Appendix C*) covering a 3 x 3 (9 in total) grid with each grid representing 10 x 10 minutes. The closure will remain in effect for a 15-day period after which time it will expire unless there are additional confirmed sightings. The closure will be applied to all fixed-gear fisheries, regardless of whether or not the gear is tended. Details of the closure ending are outlined below.

The steps outlined above in **Step 4 (B) Monitor and Evaluate** are to be followed, in addition to:

Resource Management- Marine Mammal Advisor/Response Coordinator will:

- During Initial call of the Distribution List (*Appendix D*) include the following steps:
 - Recommendations for:
 - i. A detailed list of fisheries affected by closure

- ii. Defining the closed area on a grid map (10x10 min grid) (Appendix C)
- iii. Updating a Notice to Fishers with details of pertinent information (Appendix E).

Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Unfavourable weather conditions will be considered and the Notice to Fishers will be worded accordingly).

- Notice to Fishers is updated with details of closure (Appendix E). Notice to Fishers issued states that: a NARW has been detected in Critical Habitat, the Department is taking action to close fisheries, and requests harvesters to report sightings of NARW).

Following the Notice to Fishers being distributed, a daily call with the Distribution List (Appendix D) and invited experts will be required to update on:

- Subsequent sightings of the same whale (if identified)– consult *Whalemap*
- Additional confirmed sightings of other NARW
- Confirm compliance with Dynamic Closure and concerns from C&P
- Resource Management to sit on daily call of NARW WG (organized by National Headquarters).

Conservation and Protection

- Action Notice to Fisheries via the Marine Broadcast. Notice will be repeated for a 15-day period.
- Seek approval of Variation order from Regional Director General and action via the Marine Broadcast. Notice will be repeated for a 15-day period.
 - If there are no confirmed sightings during the 15-day period, the fishery can reopen. If there are confirmed sightings, the variation order will be extended for an additional 15 days from last confirmed sighting.

Communications

- Prepared communications materials are distributed and media contacts are notified upon approval and as the variation order is published.

Details of the Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15-day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

Appendix A: Maritimes Region Fisheries Times

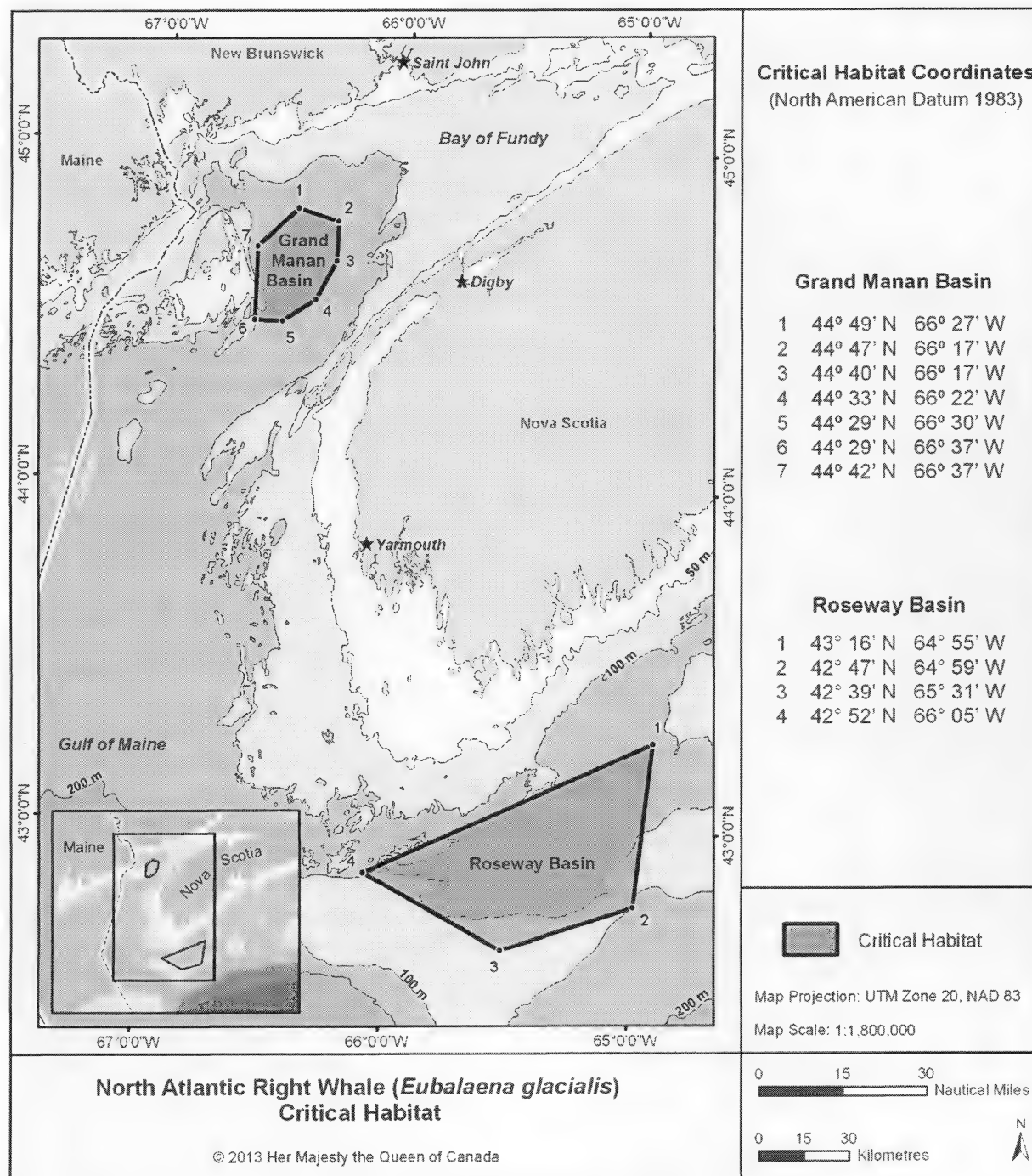
NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round					Yes
4WX5z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4Vn	Atlantic halibut	Longline		Year-round	now				No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	May 9	Jul 9				No
LFA 29	Lobster	Traps/pots	63 licences	May 10	Jul 10				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No
LFA 33	Lobster	Traps/pots	695 licences	Nov 26	May 31				No
LFA 34	Lobster	Traps/pots	979 licences	Nov 26	May 31				No
LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31				No
LFA 36	Lobster	Traps/pots	177 licences	Nov 13	Jun 29				No
LFA 38	Lobster	Traps/pots	136 licences	Nov 13	Jun 29				No
Grey Zone	Lobster	Traps/pots		Jun 30	Nov 09				Yes
LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31				Yes
	Hagfish	Traps/pots		(may be closed this year) Apr 12	Oct 01				Yes
	Herring	Gillnet		Year round but active Summer/Fall					No
	Whelk/inshore	Traps		Late Summer/Fall					No
	Whelk/offshore	Traps	700 traps	Late Summer/Fall					No
	Large Pelagics	Longline	Approx 45 active licences	Year round but active May-Nov					Yes
	Mackerel	Gillnet		Apr 01	Dec 01				No
CB Area	Mackerel	Trapnet		Early Summer- November					No
CB Area	Herring	Trapnet		Early Summer- November					No

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 14 – May 13 & July 21-Aug 18					No
CFA 23	Snow crab	Traps/pots	62 licences	Apr 01	Aug 31				Yes
CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31				Yes
CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31				Yes
LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17				
LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10				
LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31				
LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31				No
LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31				
LFA 29,31a,31b,32	Rock Crab	Traps	12 licences	Aug 07	Dec 31				
LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22				
LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07				
LFA 36	Rock Crab	Traps	5 licences	Mar 01	Dec 31				No
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Mar 01	Dec 31				Yes

Green = updated

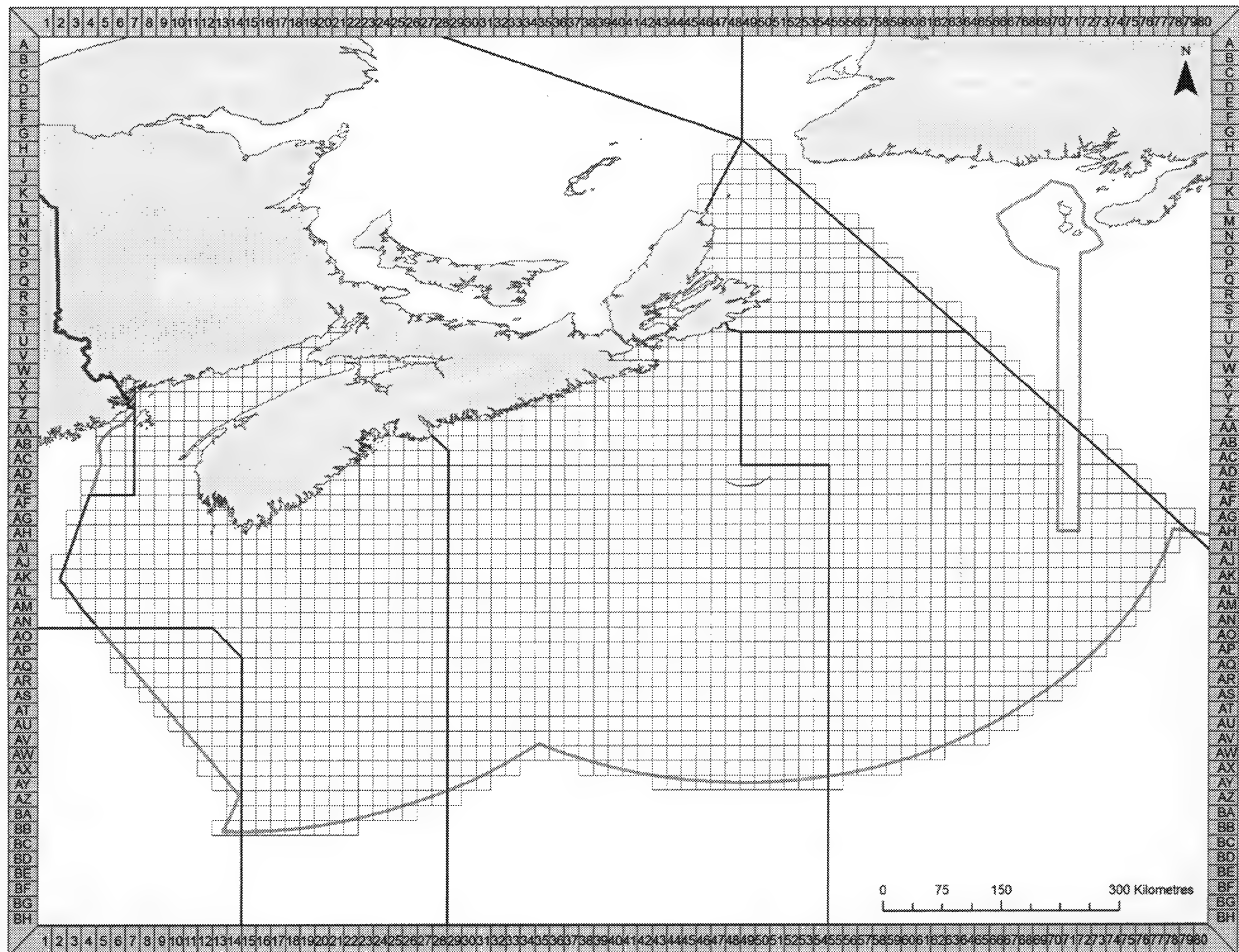
Blue = active fishery, may require coverage

Appendix B: North Atlantic Right Whale Critical Habitat



(From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters)

Appendix C: Maritimes Region in 10x10 minute grid



Appendix D. Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
	Brad Pye	(902) 499-0923	Brad.Pye@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437	Catherine.Merriman@dfo-mpo.gc.ca
	Heidi Schaefer		
Oceans	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

Important numbers (not part of the Distribution List)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- **Marine Mammals and Whales**
XMARWhaleSightings@dfo-mpo.gc.ca
1-844-800-8568
[Whale Alert mobile application](#)
- **Sea Turtles**
Canadian Sea Turtle Network
info@seaturtle.ca
1-888-729-4667

To report dead and distressed marine animals:

- **Marine Animal Response Society**
marineanimalresponse@gmail.com
1-866-567-6277
VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

Appendix E: Notice to Fisheries (still to be drafted)

No information has been removed or severed from this page

Appendix F: 2018 Information Flow Protocols for Fisheries Management Measures (National Protocol)

1) Confirmed live NARW Sightings by Trained Personnel

- a) If a live NARW is observed in the area of NAFO division 4T subject to “temporary closure” measures:
 - i) Personnel on the aircraft (or vessel) notifies the TC Situation Centre
 - ii) TC Situation Centre sends location of sighting, plotted on a map that contains the established grid quadrants, to the NARW Urgent Distribution List (see Annex 1)
 - iii) The Gulf FAM on-duty initiates the Variation Order process to close fixed gear fisheries in a 3 x 3 quadrant area around the quadrant containing the NARW
 - iv) NHQ will brief up on the situation to senior management
- b) All confirmed NARW sightings reported through the science established process to the Maritimes science group:
 - i) A daily sightings map containing the location of the NARW sighted the previous day will be prepared by DFO science and transmitted mid-morning to recipients via the Whales Alert Email Distribution List (see Annex 1)
 - ii) Following receipt of the science information, a daily weekday conference call of a NARW Working Group (NARW WG) (representatives from FAM/Science/SARA with NHQ/FRM as secretariat) will be convened to review map and determine if there is any activity that warrants engagement of more senior management (DG/RDs) (WG membership – see Annex 2)
 - iii) The relevant RD is advised of any presence or activity of NARW that requires further discussion or examination
 - (1) The RD sends notification via the Whales Alert Email Distribution List (*Annex 1*)
 - (2) A teleconference is convened with Atlantic RDs and DG FRM (NHQ/FRM is secretariat)
 - (3) A review of the situation is undertaken and a decision on action (if any) taken.
 - (4) Appropriate action initiated (and update provided to Whales Alert Email)

2) Incident involving *LARGE WHALE (alive or dead) – (*bigger than a minke)

- a) Whether report is from DFO personnel, call to DFO or call to Third Party 1-800, first point of contact is MM Coordinator (or designate – regions to specify contact number) in relevant region
- b) MM Coordinator notifies via the Whales Alert Email Distribution List (see Annex 1) of the report.
- c) MM Coordinator works with the relevant response network, C&P, Science, SAR, Communications, CCG etc and initiates the appropriate response
 - i) For entanglements, entanglement response protocol to be followed
 - ii) NOTE: If an entanglement is spotted from an aircraft the personnel can call the TC Situation Center to report and they can forward via the Whales Alert Email Distribution List
- d) Subsequent situational updates via the Whales Alert email (*Annex 1*) at discretion of the relevant RD

3) Incident involving smaller whales or OTHER MARINE MAMMAL (alive or dead)

- a) MM Coordinator is the focal point for response
- b) If likely to be high profile / receive media attention, MM coordinator notifies Whales Alert Email (*Annex 1*)

- c) If lower profile, notify only RD as per regional protocol
- d) MM coordinator initiates the appropriate response
- e) Subsequent Updates to Whales Alert Email at discretion of relevant RD

Third Party External Communications:

Third Party response network groups and any external person aboard a surveillance flight will be asked to obtain a "green light" from DFO/NHQ before any external communications related to whale sightings or incidents (unless there are other pre-approved arrangements in place – e.g. notification of mariners in the area for safety reasons)

Annex 1 – Email Distribution Lists

1) NARW Urgent Distribution List (from TC)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry

NHQ C&P: Darren Goetze, Judy Dwyer

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

RD FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert

DFO Comms: Ashley Jackson

Science: Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle

2) Whales Alert Email List (from Science)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry, Alexis Van Bommel, Jody McRory, Kendra Moore

C&P: Darren Goetze, Judy Dwyer, Josée Annie Verville, Mike Cherry, Marc Naud, Lloyd Slaney, James Graves

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre, Pat Hall

SAR: Heidi Schaefer, Catherine Merriman

RD/Dir FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert, Tony Blanchard, Jacinta Berthier, Marc Lecoffe, Denis Gros-Louis

Science: Arran McPherson, Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle, Mike Hammill, Jack Lawson, Hilary Moores-Murphy,

Comms: Kathryn McElhone, Marian Hubley, Ingrid Nielsen, Kathleen Smith, Ashley Jackson

Other RM: Annette Rumbolt, Christa Waters

Annex 2. Membership of NARW Working Group (NARWG WG)

Chair: Brett Gilchrist

FAM Members:

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

NHQ: Jody McRory, Kendra Moore, Melissa Landry

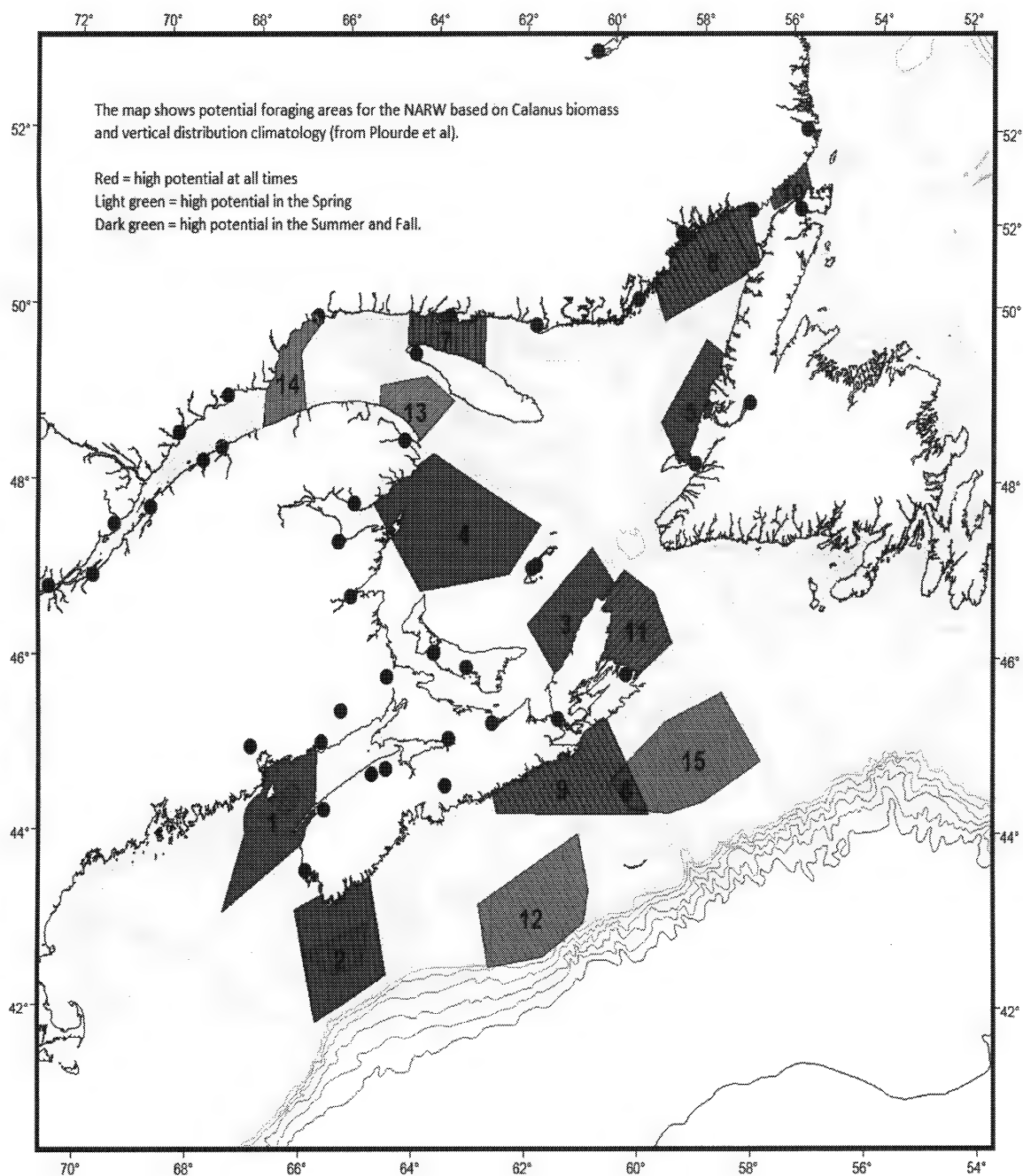
Science Members:

Jean Landry, Simon Nadeau, Christine Abraham

SARA Members:

Catherine Merriman, Corina Busby

Predictive Map of Potential Foraging Areas by Time of Year (For information only)



Merriman, Catherine B

From: Daley, Annette
Sent: May-07-18 5:51 PM
To: Berthier, Jacinta
Cc: Sweet, Marilyn; Waters, Christa
Subject: RE: MAR - NARW _ Memo to the Minister_ 2018 _ V6.docx
Attachments: MAR - NARW _ Memo to the Minister_ 2018 _ V7.docx

Jacinta, the memo reads really well. Just a couple of very minor suggestions in attached (V7).

Thanks everyone for your efforts. If we can get this moving up the chain tomorrow, that would be great.

Annette

From: Berthier, Jacinta
Sent: Monday, May 7, 2018 4:38 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>
Subject: MAR - NARW _ Memo to the Minister_ 2018 _ V6.docx

R:\Fisheries Management\Resource and Aboriginal Fisheries Management\Reference\Species\Marine Mammals\Briefing Notes\2018\Protocol for NARW-dynamic closures\RIGHT WHALE-BN package

Hi,

The attached document is an update of Annette's version 5. This new version is now saved in the folder at the attached link. If all is okay, I will roll up the new TAB 5 – which is a summary of the engagement material, with attendees and session dates as one document, based on Adam's recommendation that we include this material.

The tracked changes can be viewed by changing the setting under the 'Review' tab to 'show all mark-up'.

Please track changes on this version, and we can update as appropriate to move the package out first thing in tomorrow morning if you are in support of this version.

Thanks,
Jacinta



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Deputy Minister

Sous-ministre

UNCLASSIFIED
20##-###-#####

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE
MANAGEMENT MEASURES FOR MARITIMES REGION IN -2018**

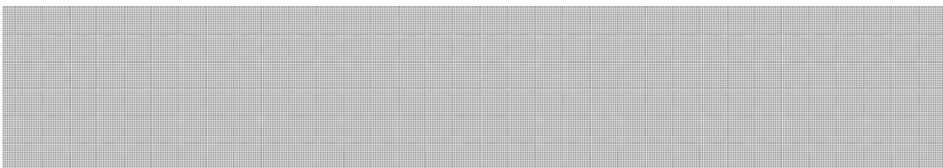
For Decision

SUMMARY

This note is seeking your decision on options to use dynamic closures if required to reduce the risk of endangered North Atlantic Right Whale (NARW) interactions with fixed-gear fisheries in the Maritimes Region for the 2018 fishing season.

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia and in 2009, the *Species at Risk Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat.

Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individual whales predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs off Nova Scotia.



BACKGROUND

The North Atlantic Right Whale (NARW) was listed as endangered under the *Species at Risk Act* (SARA) in 2005. The population estimate for 2015 was 458 animals (95% confidence interval (CI): 444-471 animals), of which only 186 (95% CI: 174-195) were females of reproductive age. Only 5 calves were documented in 2017 and no calves have been observed to date in 2018. There is evidence indicating that the population has been in decline since 2010.

Canada

.../2

-2-

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia. The *SARA Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat in 2009. While there appears to be a shift in distribution of NARW, in recent years with more sightings being reported in the Gulf of St. Lawrence, NARW still occur in their identified critical habitat in the Maritimes Region. More than thirty years of NARW research data support that these two high-use habitats function as adult foraging and feeding grounds, calf nursing and rearing grounds, and resting and socializing areas for the population.

Since 2010 there have generally been fewer observations of NARW in Nova Scotia waters as compared to previous years (with the exception of 2016). In 2015 and 2017, more NARW sightings were reported in the Gulf of St. Lawrence than have previously been documented, though more search effort also occurred in the area during these years. In 2017, an unprecedented 12 NARW were found dead in the Gulf of St. Lawrence, with an additional five live-entangled individuals documented in the same area. Since June 7, 2017, a total of 18 NARW have been discovered dead in Canadian and US waters, resulting in an unusual mortality event being declared by the US, which remains in effect.

The Gulf Region has announced several measures for the 2018 fishing season as a means to reduce NARW interactions with fishing gear. A static closure to fishing activity began April 28th, 2018, in the area where 90 % of the 2017 sightings of NARW in Canadian waters occurred. These measures are outlined in the protocol for dynamic and static closures for the Gulf Region included in TAB 2. Similar measures will be applied for dynamic closures across Atlantic and Quebec Regions (TAB 3).

SARA includes prohibitions that protect both the listed species and its identified critical habitat. SARA Section 32 prohibits the harm, harassment, capture and killing of individuals of a listed species wherever they are found. Section 32 has been in force for the NARW since it was listed in 2005. The destruction of Critical Habitat is also prohibited under Section 58 of SARA. Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individuals predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs.

The Gulf Region has announced several measures for the 2018 fishing season as a means to reduce NARW interactions with fishing gear. A static closure to fishing activity began April 28th, 2018, in the area where 90 % of the 2017 sightings of NARW in Canadian waters occurred. These measures are outlined in the protocol for dynamic and static closures for the Gulf Region included in TAB 2.

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As part of the Ocean Protection Plan In 2017, DFO carried out a science-based "Review of the Effectiveness of Recovery Activities for the North Atlantic Right Whales." as part of the Ocean Protection Plan. This review noted that "[r]educing the spatiotemporal co-occurrence of North Atlantic Right Whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled." It specifically identified removing gear from identified critical habitat and from other high-use areas by implementing spatiotemporal closures to fishing activities when NARW are present as one of the most effective activities to reduce the threat of fishing-gear entanglement.

-3-

-3-

Supporting this recommendation, two Canadian studies identified spatiotemporal closures to fisheries as an efficient measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017, attached in TAB 4-3 and TAB 54). Vanderlaan et al. (2011) examined the risk of lethal interactions with NARW and different fishing gear types in Canada by examining the overlap of fishing activity with whale presence. Higher risk fisheries occurred in Critical Habitat, with groundfish bottom longline posing the greatest risk of entanglement in Critical Habitat during the summer residency period and the lobster fishery posing the greatest risk during migratory periods in spring and fall. Brillant et al. (2017) show that about a third of the annual risk of entanglement for NARW in Canadian waters occurs in their identified Critical Habitat and suggest that the most effective and efficient action to reduce this risk is to seasonally restrict fishing in Grand Manan and Roseway Basins to periods when NARW are not present.

The use of fixed fishing gear in Canada and the US is often identified as posing a high risk of entanglement or entrapment for NARW (Vanderlaan et al. 2011). It is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW, though there is little understanding of exactly how entanglements occur and little evidence to support which gear modifications would reduce the risk of entanglement. Many of the recommendations from the scientific community have thus focused on spatio-temporal avoidance as the most effective means of reducing the risk of entanglement. The gaps in our knowledge of how entanglements occur coupled with uncertainty in NARW distribution highlight the need for implementing a precautionary approach to managing potential NARW and fisheries interactions.

STRATEGIC CONSIDERATIONS

Based on discussions at dedicated industry engagement sessions and Advisory Committee meetings in advance of season openings, a number of Several-management measures are being implemented for the 2018 season in the Maritimes Region (TAB 5), following a number of consultations with industry representatives. These measures is including the requirement to d reporting of interactions with all marine mammals and the mandatory reporting of lost gear in all

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fisheries, as part of a national requirement for all fisheries. Additional measures for In-Crab Fishing Areas 20-24 include ~~it is required that there be~~ a maximum length of 9.1 meters of rope between the primary and secondary buoy and a requirement to ~~reduce / eliminate~~ not have floating rope on the surface. Additional measures developed in consultation with industry members for For Lobster Fishing Areas 27-32 ~~include there is a required~~ a maximum length of 6.6 meters of rope between the primary and secondary buoy and an encouragement to reduce the amount of floating rope on the surface. The matter of reducing the risk to NARW and options for possible closures has been discussed with various fisheries for several years in the region.

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The Maritimes Region is seeking guidance on appropriate management measures to further reduce possible interactions of NARW with fishing gear. ~~Although~~ measures have been announced for areas in the Gulf of St. Lawrence (Gulf Region and Quebec Region), the Maritimes Region is seeking to re-has not been any communicate and clarify decisions related to on-mitigation measures for ~~the -region~~ Scotian Shelf Bioregion, in particular for areas outside of the Gulf of St. Lawrence, in areas where historically NARW ~~are were~~ frequently observed and can reasonably be expected to occur in 2018.

-4-

DFO staff have prioritized potential solutions by their likelihood of preventing entanglements. Prevention of entanglements (e.g. earlier or delayed seasons, rope reduction) should be given the

-4-

highest priority, followed by mitigation (e.g. changes to gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly. Therefore the focus is on preventing interactions from occurring by reducing the spatial overlap of fishing activity when NARW are present.

Conservation and Protection (C&P) and Science Branches ~~are have~~ collaborated on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW sightings are confirmed in the Maritimes Region. Recommendations regarding if NARW are confirmed in the Maritimes Region, tasking for aerial surveillance of by the C&P Branch flights will be revisited discussed as part of established procedures.

The Maritimes Region is proposing similar dynamic closure measures as those ~~you which were~~ approved for the Gulf and Quebec Regions (TAB 2 & TAB 3), with additional focus being placed on identified critical habitat rather than in a possible foraging area. Depending on what fisheries are active at the time, the implementation of a dynamic closure will likely have an impact on fisheries.

SCIENCE ADVICE

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The dynamic closures proposed in this note to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches that have been used in other jurisdictions (e.g., US). Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. Monitoring and reporting will be required to assess the effectiveness of these measures over time.

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops. There have not been any dedicated Indigenous-only sessions.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations. The possibility of dynamic closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised at Advisory Committee meetings since November 2017, as outlined in TAB 5, over the past three months, as well as having been discussed for several years with fisheries identified as higher risk in the region.

-5-

ADVICE AND RECOMMENDATIONS

It is recommended that you approve one of the following options below to guide for responses to confirmed sightings of North Atlantic Right Whales NARW in active fishing areas within in the Maritimes Region.

Comment [DA1]: Or could say Scotian Shelf Bioregion to associate it with ocean rather than Dept'l boundaries.



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NEXT STEPS

The Maritimes Region will hold several table-top exercises to test the NARW Response Protocol (TAB 1). This document will remain evergreen and will be updated as required.

Catherine Blewett
Deputy Minister



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Dominic LeBlanc
Minister

Minister's Comments:

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Attachment(s): (5)

1) Maritimes Region North Atlantic Right Whales Response Protocol

2) Static and Dynamic Management Measures - Gulf Region 2018

3) Notice to Fishers - Quebec Region 2018

4) Fishing-gear threat to right whales (*Eubalaena glacialis*) in Canadian waters and the risk of lethal entanglement (Angelia S.M. Vanderlaan, ^{ab}R. Kent Smedbol, ^{ab} and Christopher T. Taggart) (<http://www.nrcresearchpress.com/doi/pdf/10.1139/f2011-124>)

<http://www.nrcresearchpress.com/doi/pdf/10.1139/f2011-124>)

5) A timely opportunity to protect North Atlantic right whales in Canada (Sean W. Brillant^{a,b,e}, Tonya Wimmer^{b,f}, Robert W. Rangeley^{b,g}, Christopher T. Taggart) (<http://www.phys.ocean.dal.ca/~taggart/Publications/Brillant%20etal2017MarPol.pdf>)

5)

4) Maritimes Region Fishing Industry Engagement Summary Information

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Fisheries and Oceans Canada
Correspondence Routing Slip

Fiche d'acheminement de correspondance
Pêches et Océans Canada

UNCLASSIFIED
GCCMS #: 20##-###-#####
EKME #: #####

To: Catherine Blewett
Pour:

Date:

Object: **NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE**
Objet: **MANAGEMENT MEASURES FOR MARITIMES REGION -2018**

From / De: Mary Ellen Valkenier, Regional Director General, Maritimes Region

Via:

Additional approvals:
Autre(s) approbation(s):

<input checked="" type="checkbox"/> Material for the Minister Documents pour le Ministre	<input checked="" type="checkbox"/> Your Signature Votre signature	<input type="checkbox"/> Information
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Screen: The Department has assessed this issue in full.
Filtre: ☒ It contains no reference to matters covered by the screen relating to J.D. Irving Limited.
☐ It contains matters referenced in the screen relating to J.D. Irving Limited, but in our view does not engage the screen.
☐ In our view, the screen relating to J.D. Irving Limited should be engaged.

Remarks: This briefing note was developed in consultation with the following
Remarques: regions/sectors:

Distribution:

Marilyn Sweet, Regional Senior FM Officer (902)221-7269/MEValkenier/bh

Caines, Allison

From: Merriman, Catherine B
Sent: Tuesday, May 8, 2018 12:52 PM
To: Schaefer, Heidi; Humphrey, Donald
Subject: RE: Heads up - notice to fishers on right whale sightings s.21(1)(b)

Short answer, Yes.

Long answer, ... this morning I learned some more about this, on a conference call of the new national "NARW working group" that Brett Gilchrist is chairing. That is the group that plans to have calls frequently – daily as needed, including on weekends – when right whales are present in Atlantic Canada.

The purpose of that group is to provide recommendations to RDs as needed, about fishery management decisions, in response to right whale sightings that have been verified (daily) by Science.

One result of today's call seemed to be that all regions' measures will be packaged together for the reference of this group and perhaps others.

I guess the question remains, why NHQ is preparing this kind of comms approach for one region only.

Cathy

From: Schaefer, Heidi
Sent: May-08-18 12:39 PM
To: Humphrey, Donald; Merriman, Catherine B
Subject: RE: Heads up - notice to fishers on right whale sightings

Is there a protocol for sightings that are not in the Gulf or near the Gulf?

From: Humphrey, Donald
Sent: Tuesday, May 8, 2018 12:28 PM
To: Schaefer, Heidi <Heidi.Schaefer@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>
Subject: FW: Heads up - notice to fishers on right whale sightings

FYI

From: King, Rhea L
Sent: May-08-18 12:14 PM
To: Williams, Wendy; Westhead, Maxine; Humphrey, Donald; McLean, Mark G
Subject: Fw: Heads up - notice to fishers on right whale sightings

FYI

From: MacDonald, Heidi <Heidi.MacDonald@dfo-mpo.gc.ca>
Sent: Tuesday, May 8, 2018 11:19 AM
To: Wentzell, Doug; Daley, Annette; Vézina, Alain; King, Rhea L; Graham, Kerri
Cc: Buott-Matheson, Debra; Hayden, Jazmine; McNab, Alexandra; Gallant, Megan
Subject: FW: Heads up - notice to fishers on right whale sightings

FYI

From: Jackson, Ashley
Sent: May-08-18 11:13 AM
To: Northcott, Jennifer; Gerald, Betty; Hinds, Kimberly
Cc: Nielsen, Ingrid; LeBreton, Ginette; Renaud, Claudine; Petersen, Krista; Laberge, Karina; MacDonald, Heidi; Adam, Megan; Van Bommel, Alexis; Nesseth, Megan; Duff, Jennifer L; Pittman, Erika; Guest, Kevin (NL)
Subject: Heads up - notice to fishers on right whale sightings

Hi there,

A heads up that NHQ Fisheries Management intends to issue a notice to fishers on right whale sightings. We are going to recommend social media to accompany the notice.

MINO has also requested that each week when the map is posted that we indicate no new whale sightings (social and web content.)

When we do have whale sightings in the Gulf (or near the gulf) - we can follow the protocol:

- NHQ Communications notifies all DFO region communications / TC communications/PCO communications/MINO communications. (Notification will include lead comms advisors in NHQ for strategic comms, social media comms and media relations.)
- Spokespersons alerted (media calls follow standard media protocol).*
- NHQ comms prepares tweet to be shared with lead region comms and approved by lead ADM, DMO, MINO. Partners are tagged as appropriate.

I will share the notice once I have received it.

A

Ashley Jackson

Communications Manager, Fisheries and Harbour Management
Fisheries and Oceans Canada / Government of Canada
ashley.jackson@dfo-mpo.gc.ca / Cel: [REDACTED]

Gestionnaire des communications, Gestion des pêchés et des ports
Pêches et Océans Canada / Gouvernement du Canada
ashley.jackson@dfp-mpo.gc.ca / Tél. Cell. : [REDACTED]

Caines, Allison

From: Coffen-Smout, Scott
Sent: Wednesday, May 9, 2018 3:36 PM
To: Daley, Annette; Humphrey, Donald; Niven, Sherry; Sweet, Marilyn; Waters, Christa; Prall-Dillman, Sheila; Merriman, Catherine B; Higginson, Simon; Labelle, Mark; MacDonald, Heidi; Schaefer, Heidi
Cc: Berthier, Jacinta; Gentile, Paul; Millar, Harvey; Comley, Mark; Hawkins, Margaret J; Cheney, Sarah; Pye, Brad; Moors-Murphy, Hilary; Vanderlaan, Angelia S.; Wingfield, Jessica; Emery, Pamela; Webster, Corey J; Buott-Matheson, Debra; Hayden, Jazmine; Gilchrist, Brett; Ibarra, Diego; Butler, Sean
Subject: RE: TABLE TOP Deux: NARW MAR RESONSE PROTOCOLS

FYI. Several maps at the links below to discuss tomorrow afternoon.

1. Management area maps with open times by species.

<\\ent.dfo-mpo.ca\ATLShares\Shared\ButlerS\Fisheries Seasonal Maps\JPEGs>

2. May to August monthlies of composite landings (2010-2014) for four species/gear types, including NARW critical habitat.

<\\ent.dfo-mpo.ca\ATLShares\Shared\ButlerS\Fisheries Seasonal Maps\Monthly Maps>

Note that Science places specific caveats on the use of mapped "potential foraging areas" for management decision-making.

Thanks to Sean for pulling them together.

Scott.

-----Original Appointment-----

From: MacLellan, Elizabeth **On Behalf Of** Daley, Annette

Sent: 2018-May-09 2:12 PM

To: Humphrey, Donald; Niven, Sherry; Sweet, Marilyn; Waters, Christa; Prall-Dillman, Sheila; Merriman, Catherine B; Higginson, Simon; Labelle, Mark; MacDonald, Heidi; Coffen-Smout, Scott; Schaefer, Heidi

Cc: Berthier, Jacinta; Gentile, Paul; Millar, Harvey; Comley, Mark; Hawkins, Margaret J; Cheney, Sarah; Pye, Brad; Moors-Murphy, Hilary; Vanderlaan, Angelia S.; Wingfield, Jessica; Emery, Pamela; Webster, Corey J; Buott-Matheson, Debra; Hayden, Jazmine; Gilchrist, Brett

Subject: TABLE TOP Deux: NARW MAR RESONSE PROTOCOLS

When: 2018-May-10 1:00 PM-3:00 PM (UTC-04:00) Atlantic Time (Canada).

Where: DFO CONF Dartmouth-1ChallengerDr-VG1-LewisHKing CONF MPO

Documents attached for tomorrow's meeting.

<< File: MAR - NARW _ Memo to the Minister_ 2018 _ V7.docx >> << File: TAB 1 Response to NARW in Mar Region-May 3.docx >>

Please send to Elizabeth MacLellan any protocols/documents/maps we should review or test – at least 2 days in advance of the exercise

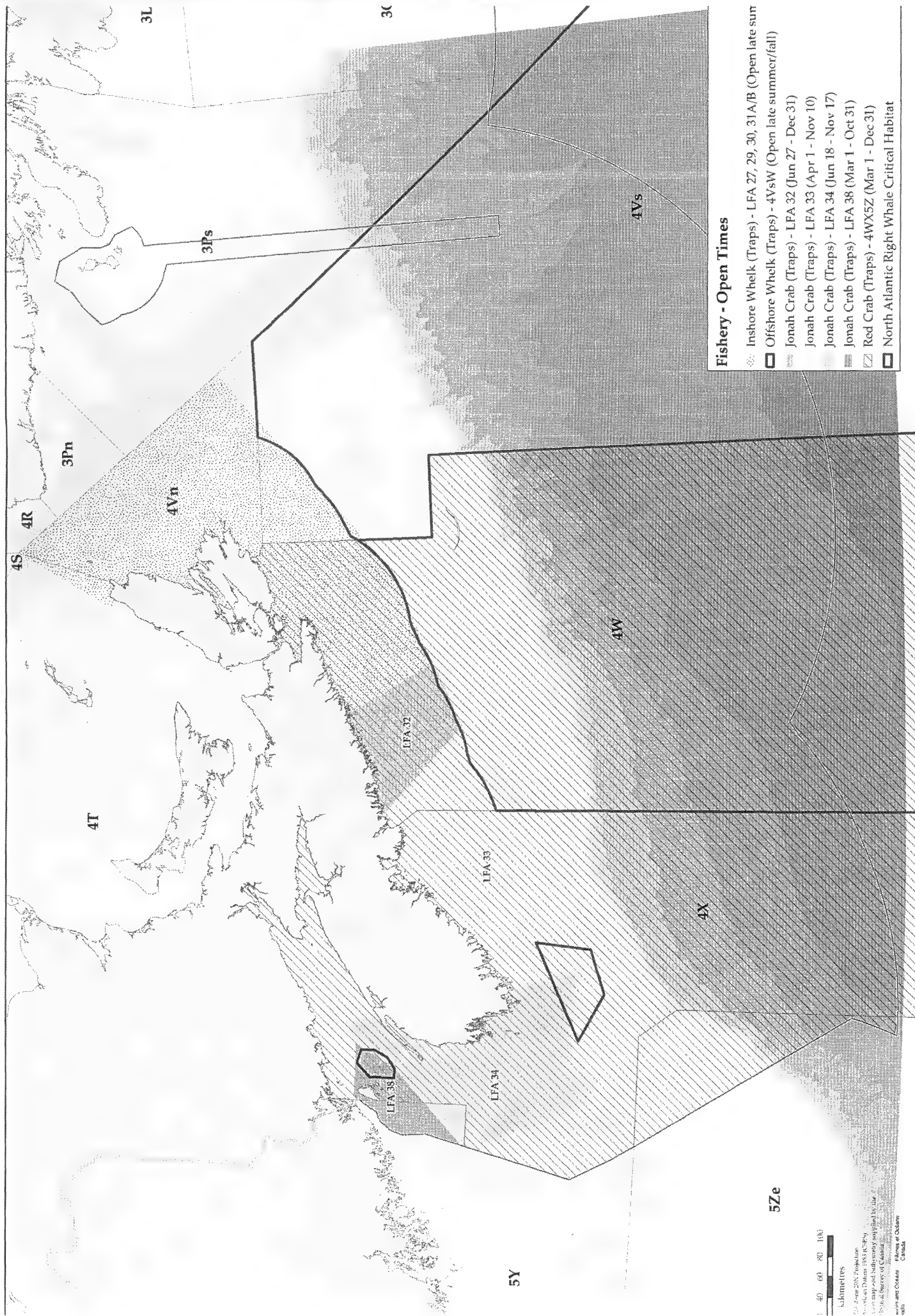
To all invitees or attendees: pls feel free to forward the invite to anyone who you think would have an interest in attending. This session is intended to review various protocols/procedures/maps, to be followed up with a live "Exercise" scenario in about a week.

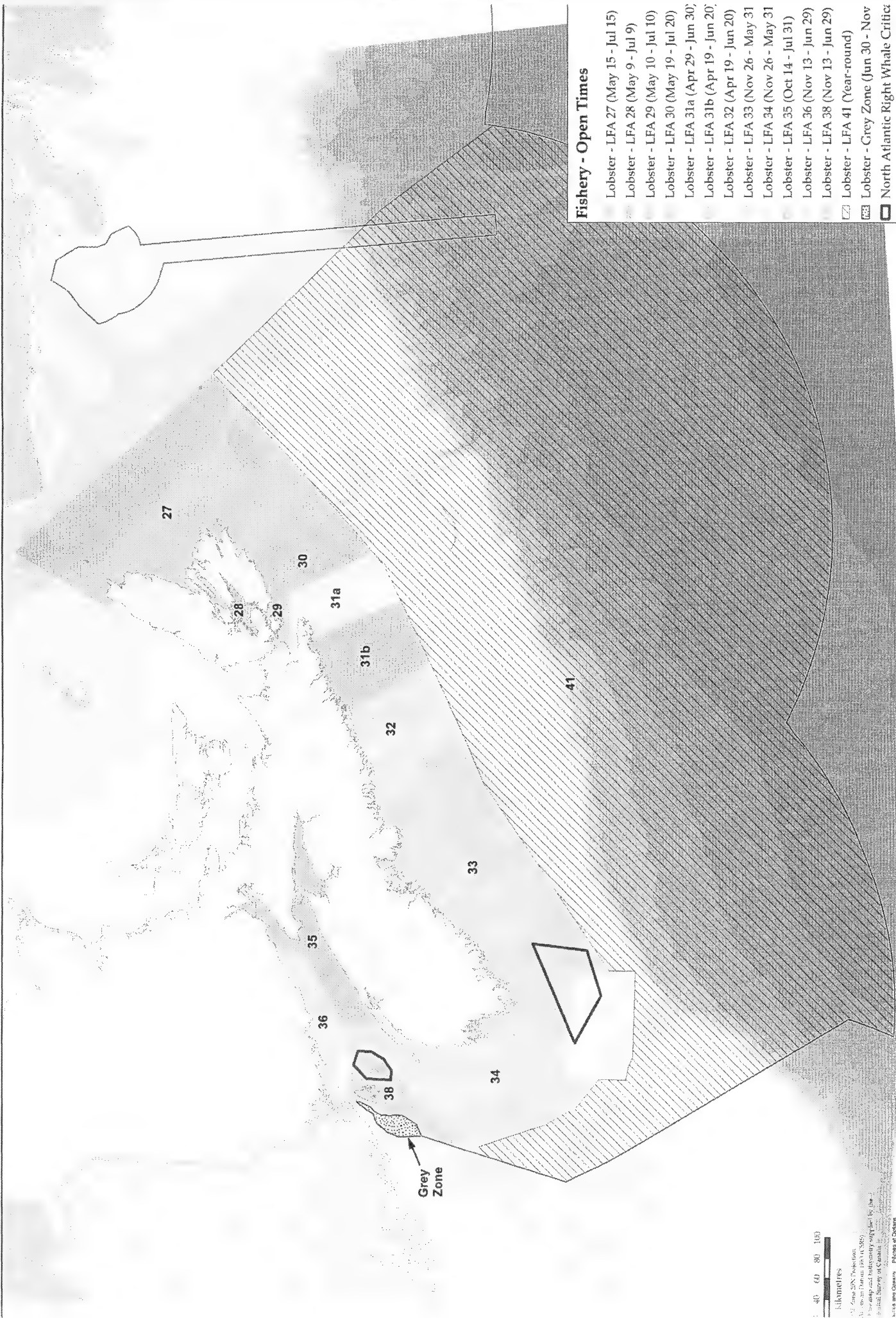
Please advise availability ASAP

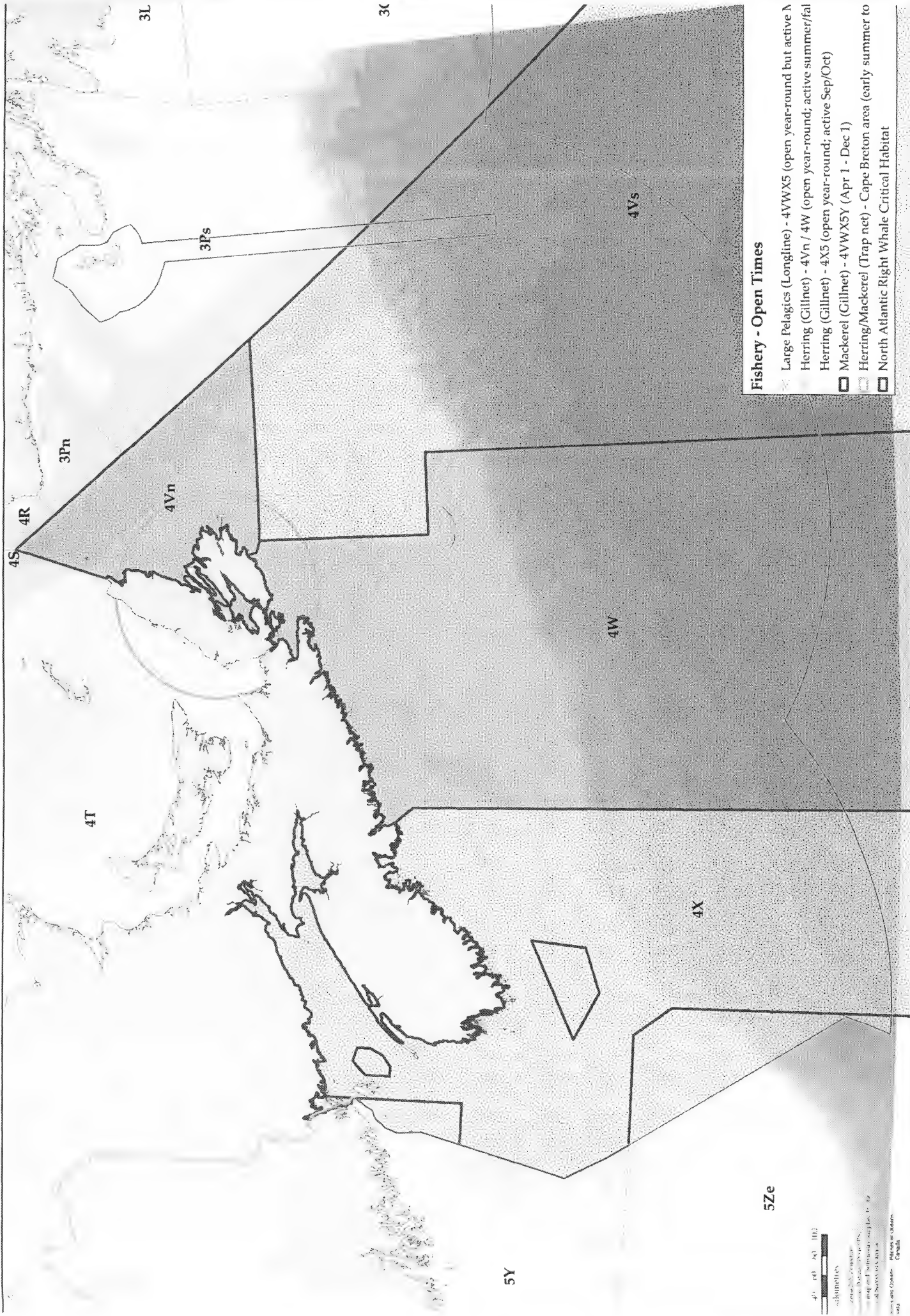
Conference ID #

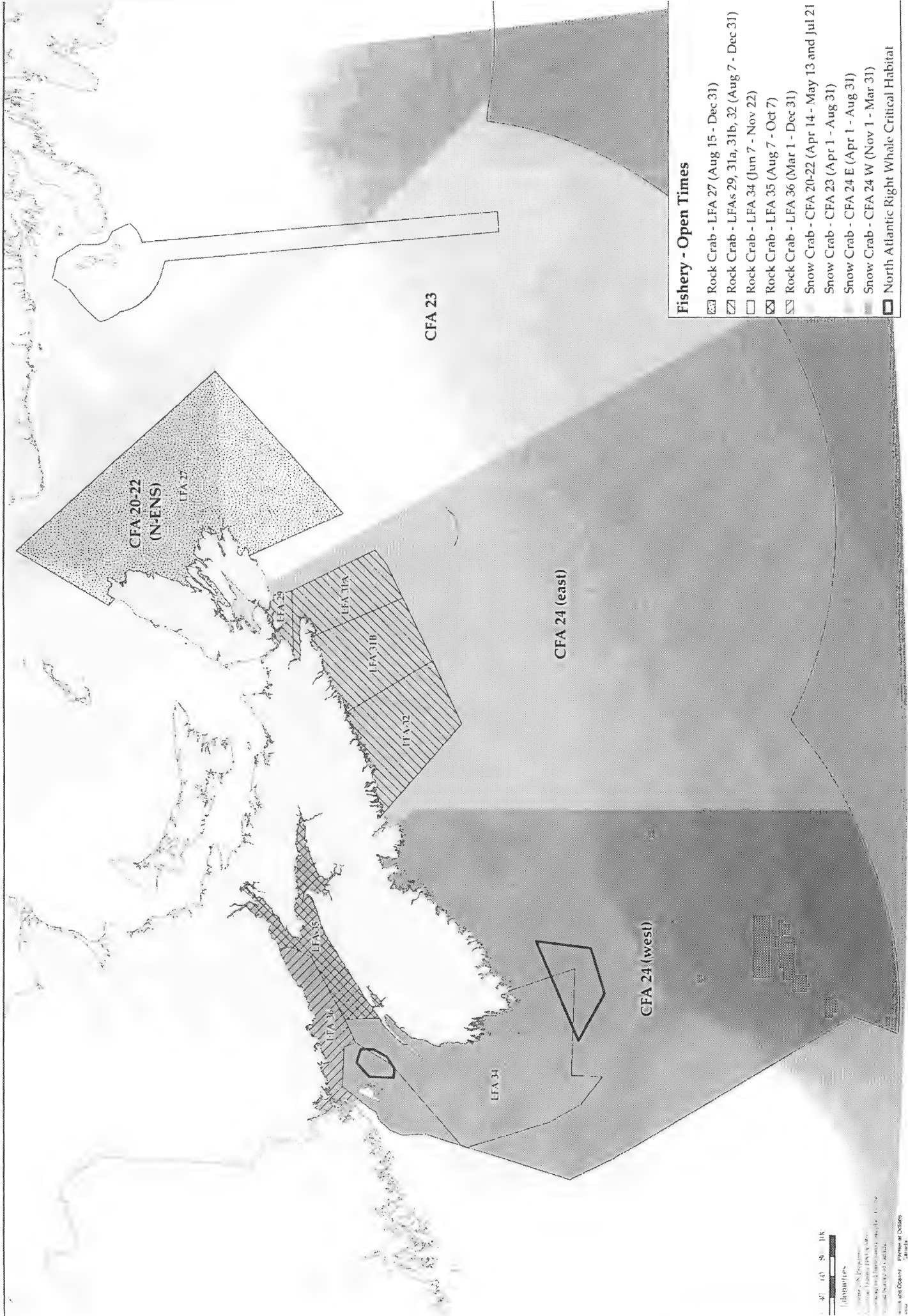
Dial in number 1-877-413-4788

Conference ID #



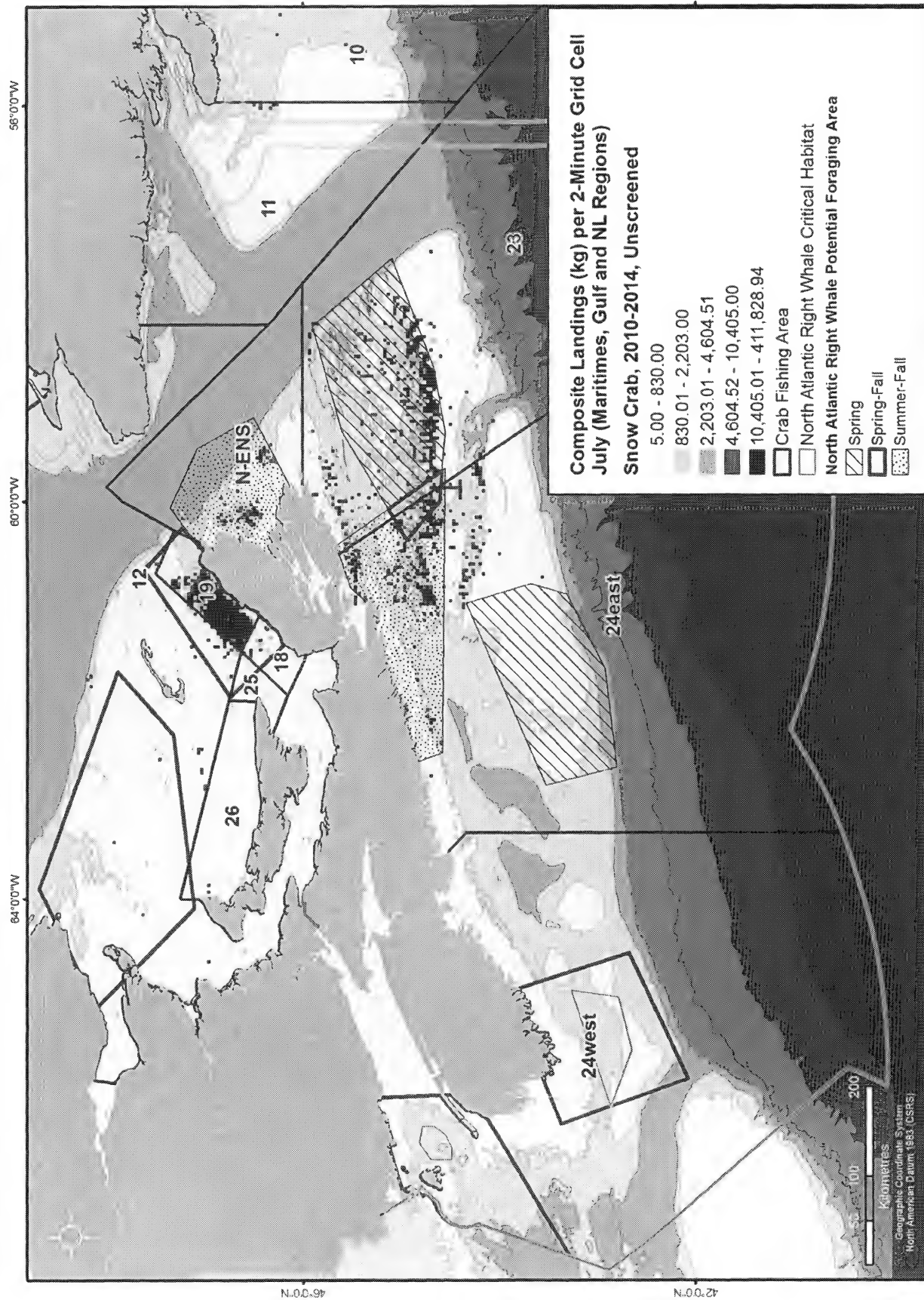


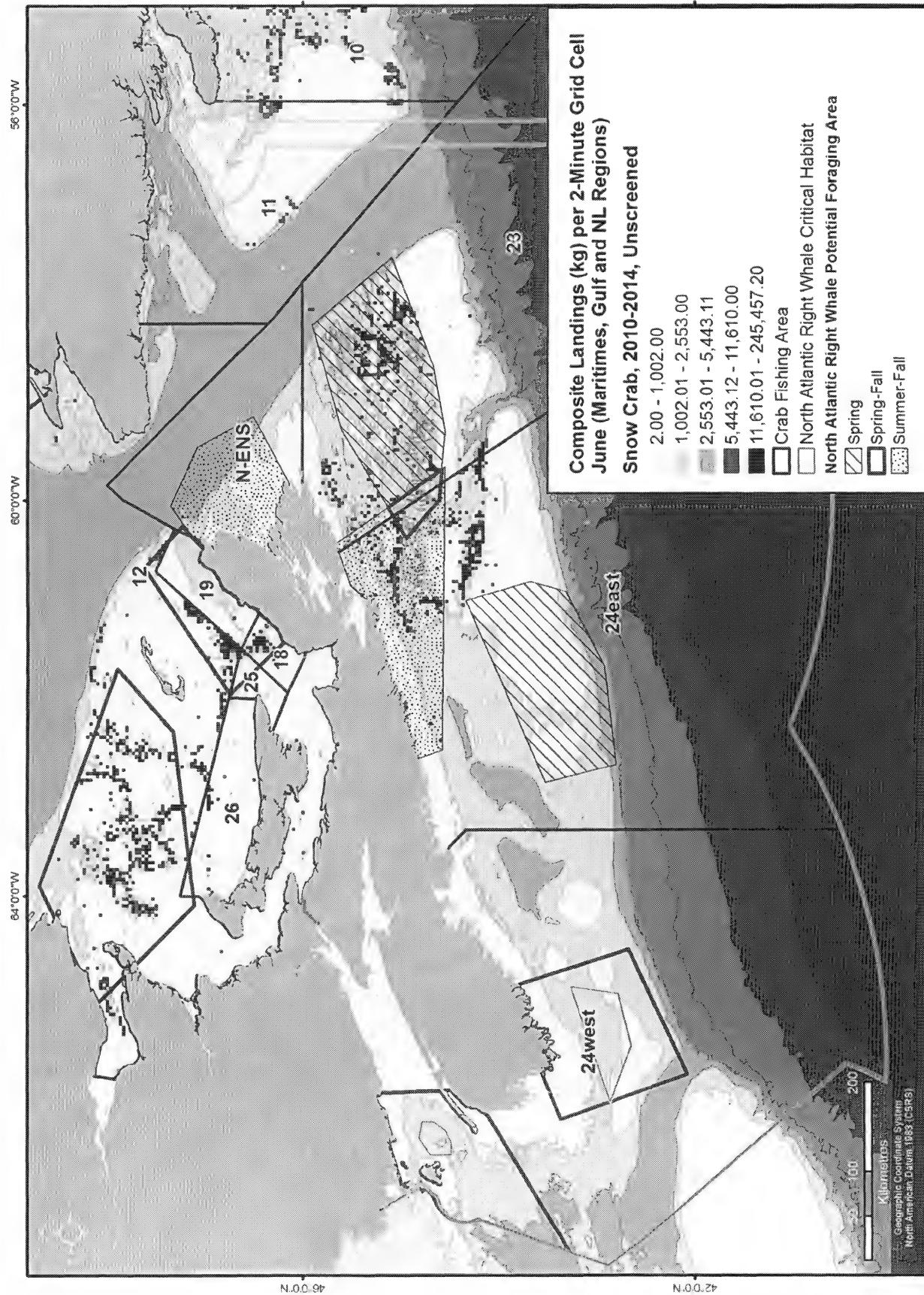


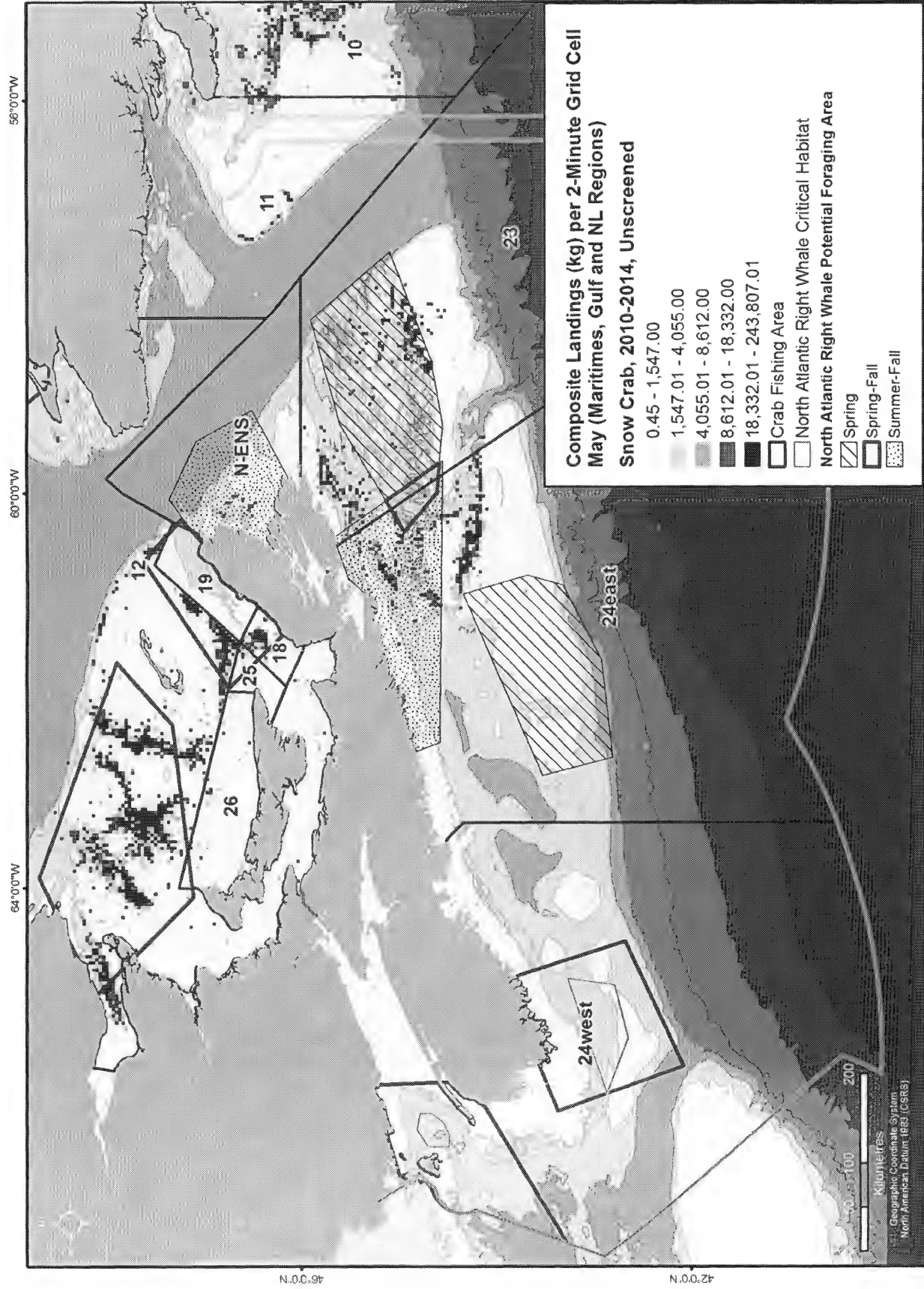


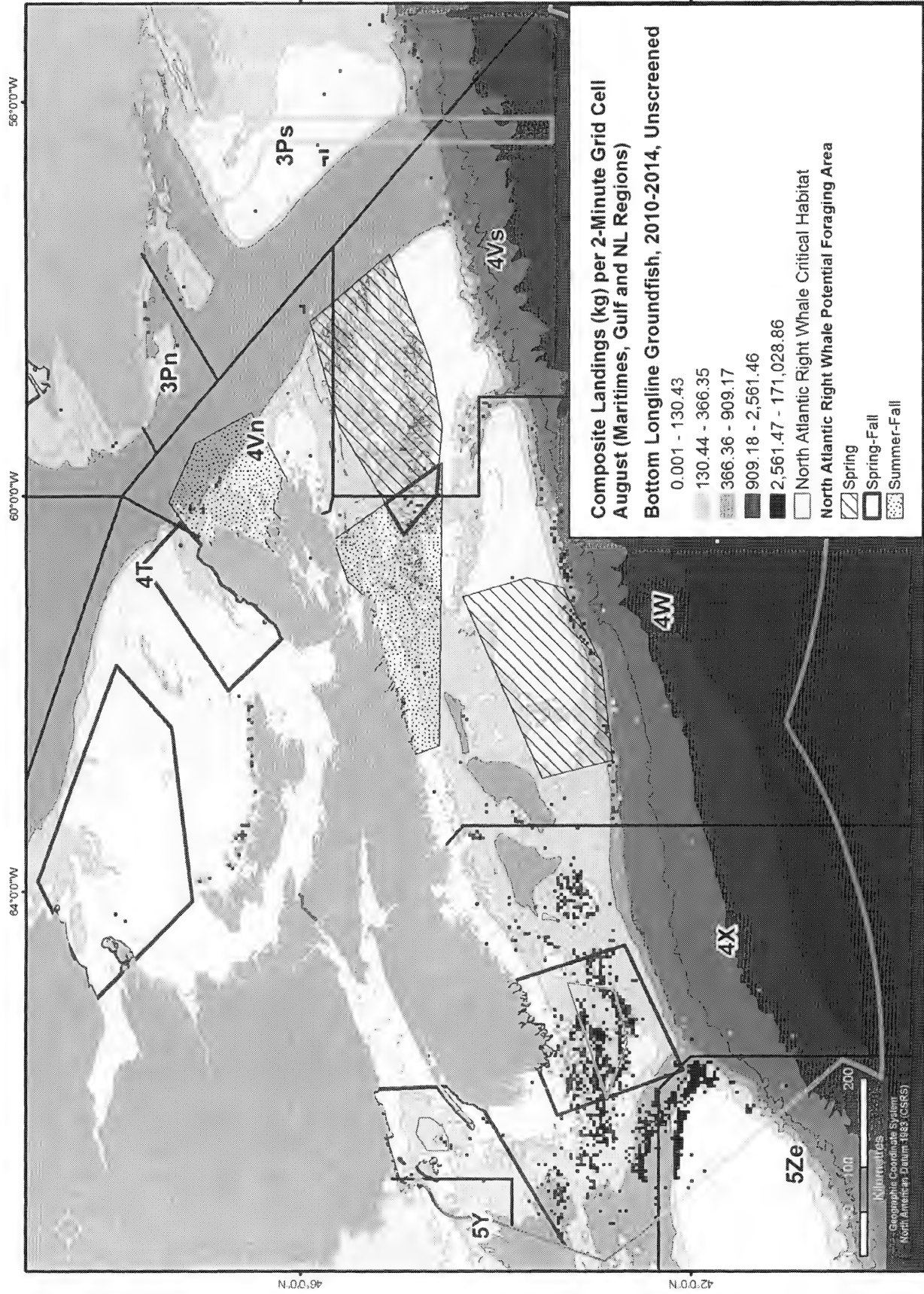
Fishery - Open Times

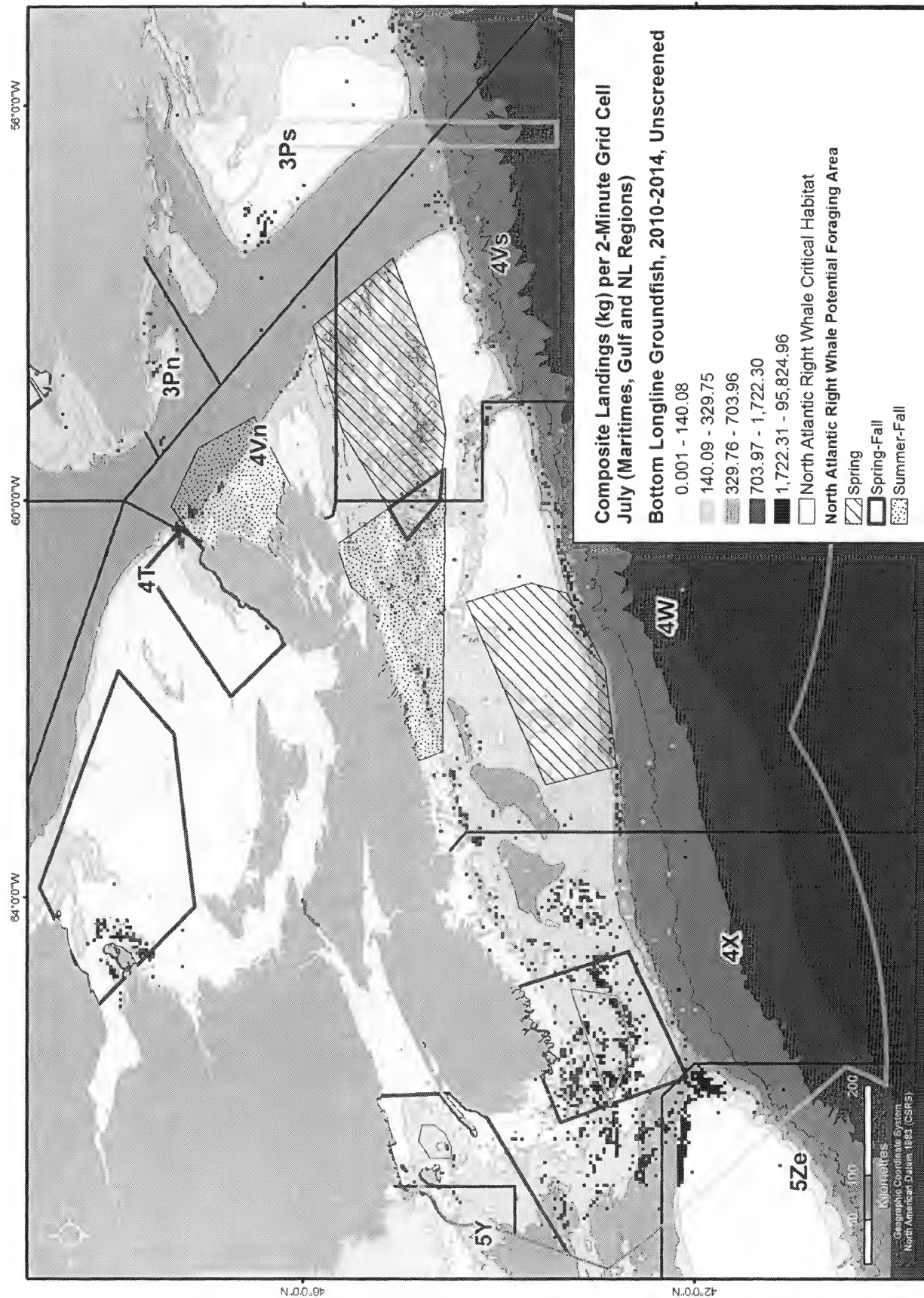
- Rock Crab - LFA 27 (Aug 15 - Dec 31)
- Rock Crab - LFAs 29, 31a, 31b, 32 (Aug 7 - Dec 31)
- Rock Crab - LFA 34 (Jun 7 - Nov 22)
- Rock Crab - LFA 35 (Aug 7 - Oct 7)
- Rock Crab - LFA 36 (Mar 1 - Dec 31)
- Snow Crab - CFA 20-22 (Apr 14 - May 13 and Jul 21)
- Snow Crab - CFA 23 (Apr 1 - Aug 31)
- Snow Crab - CFA 24 E (Apr 1 - Aug 31)
- Snow Crab - CFA 24 W (Nov 1 - Mar 31)
- North Atlantic Right Whale Critical Habitat

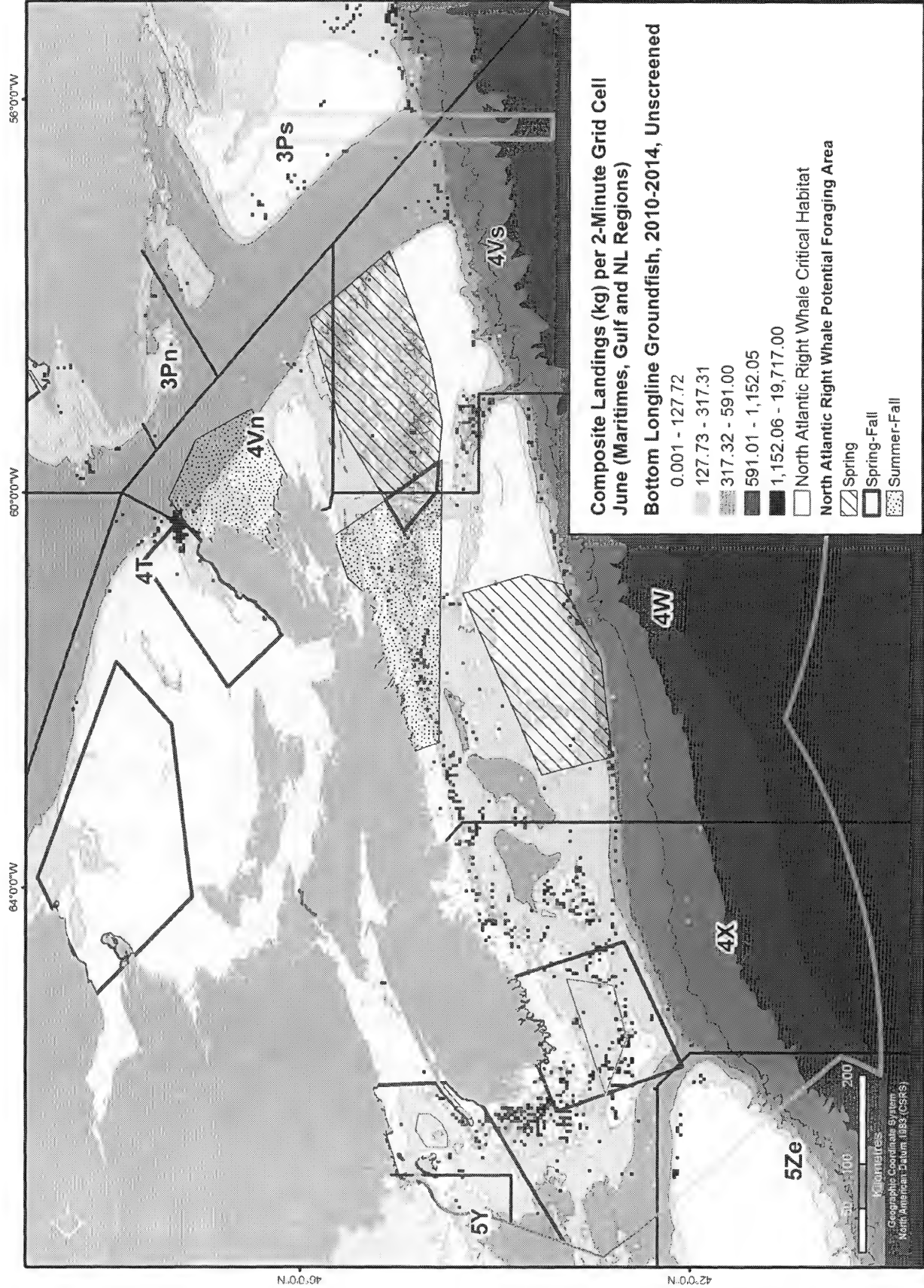


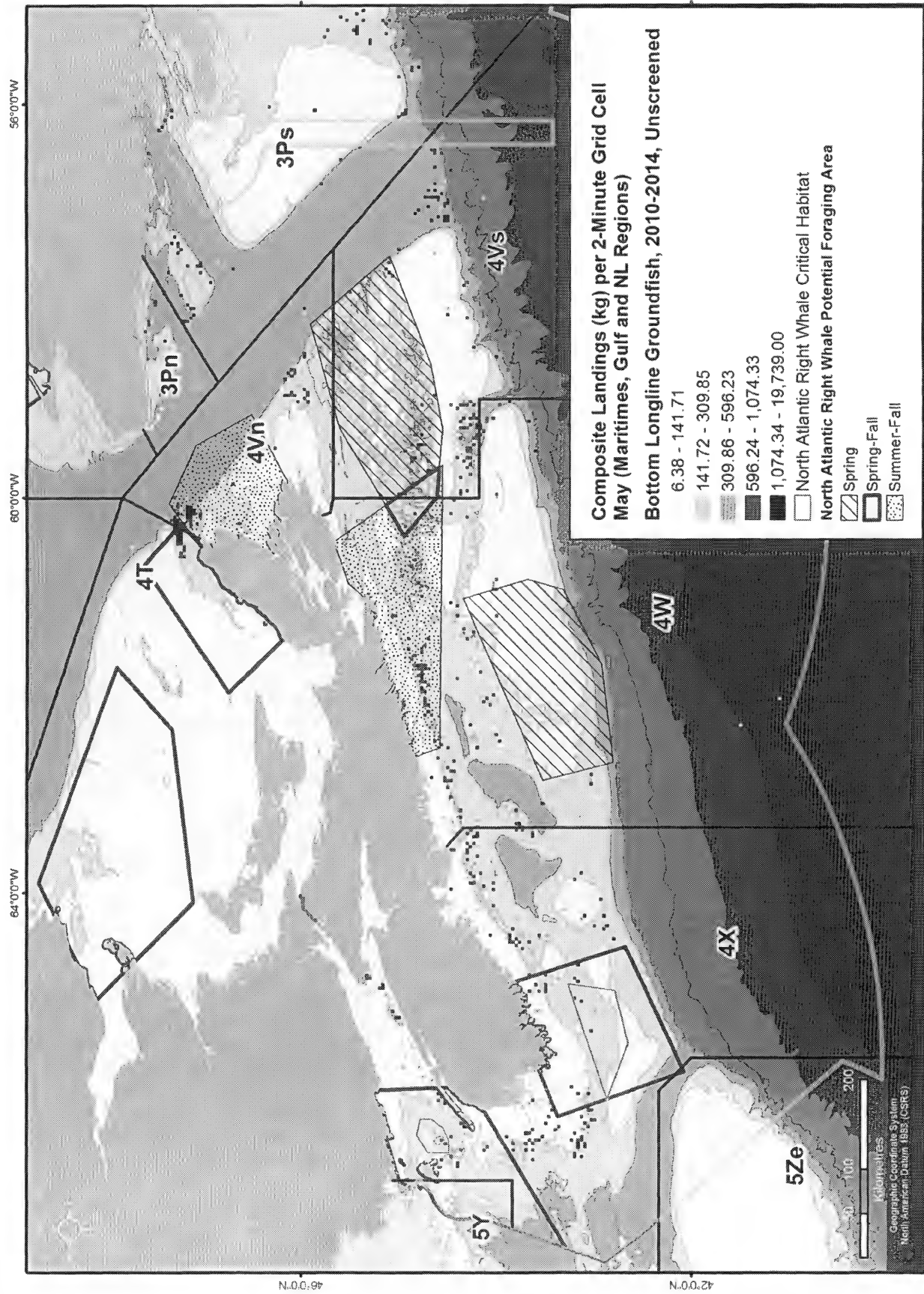


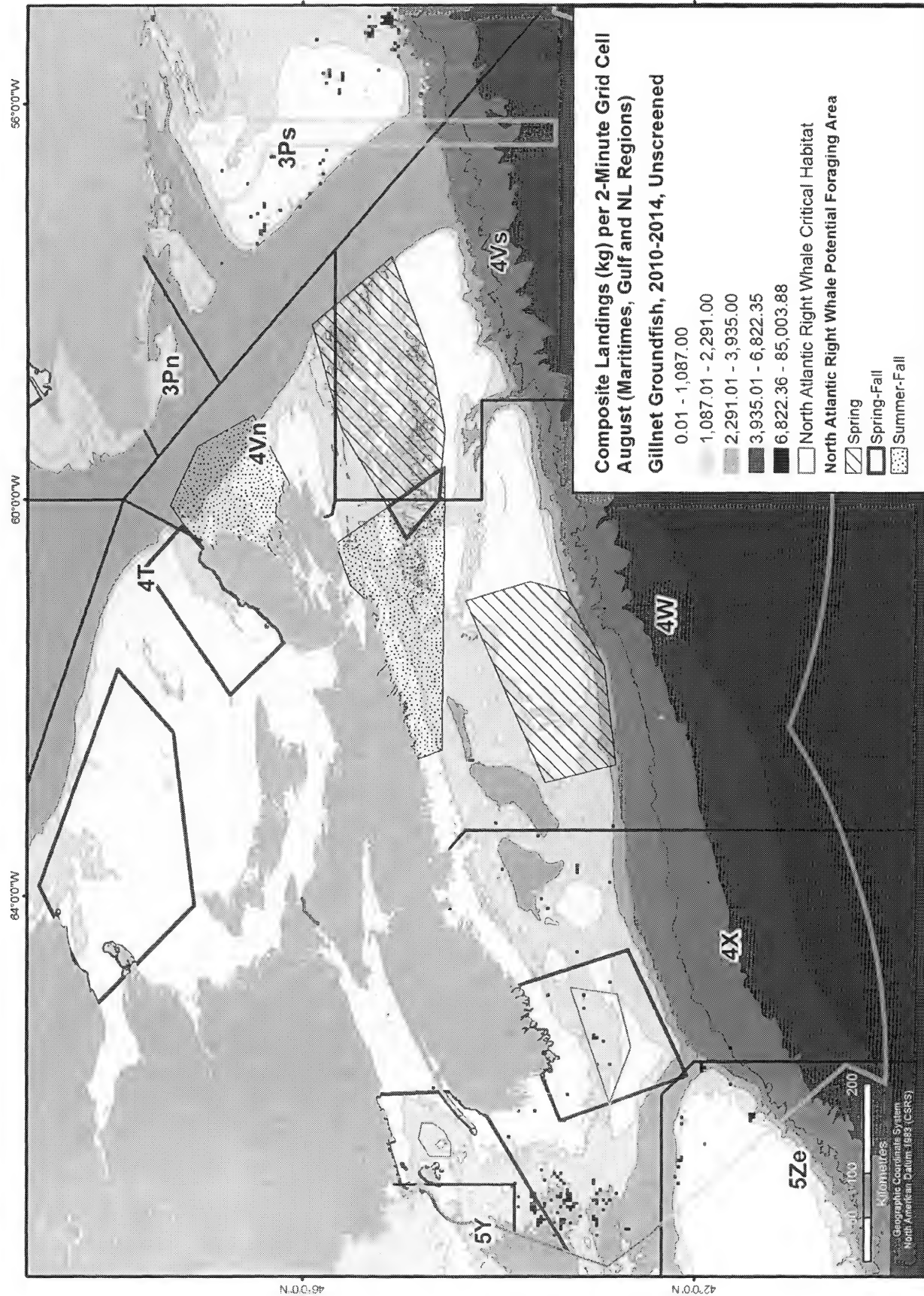


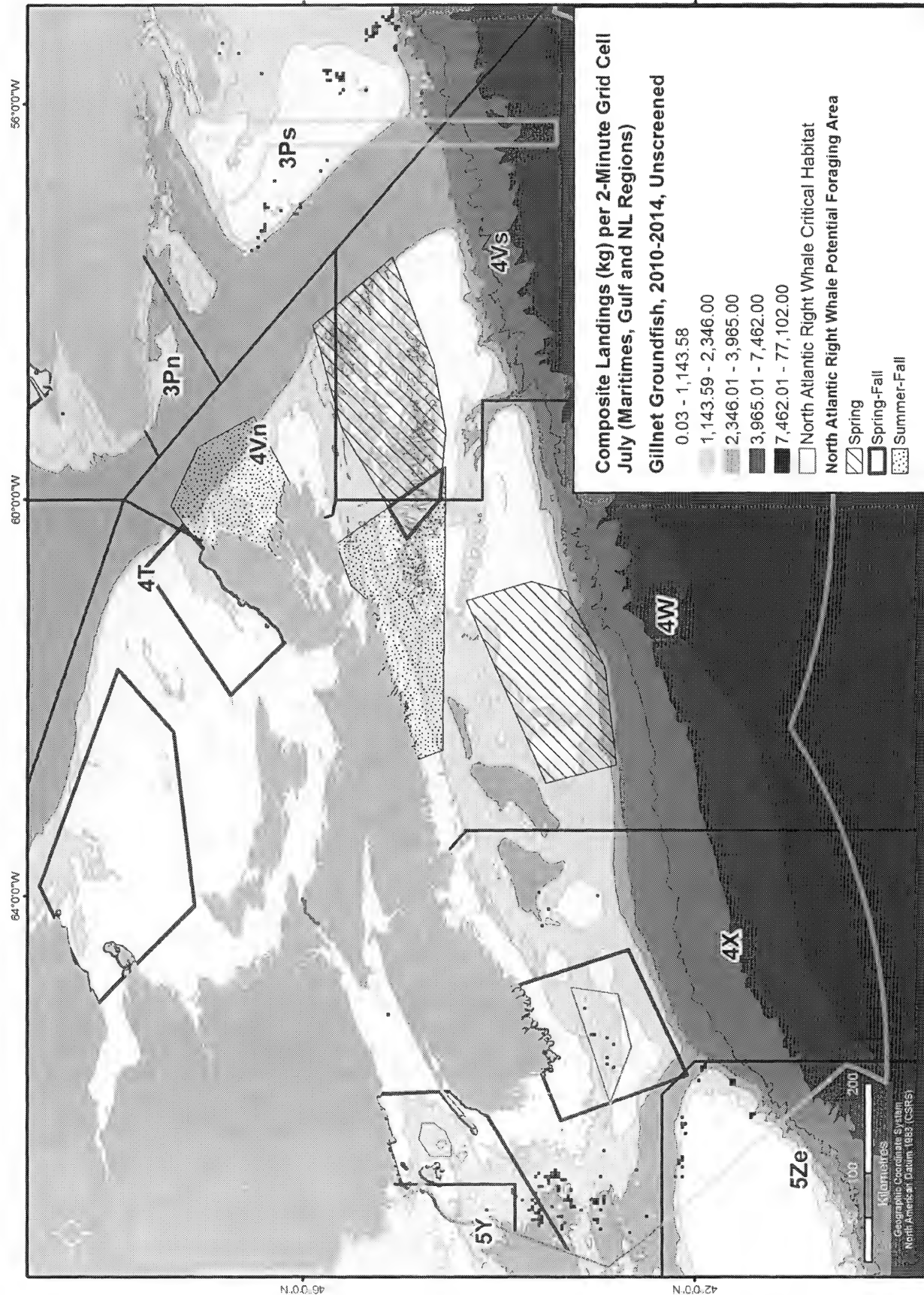


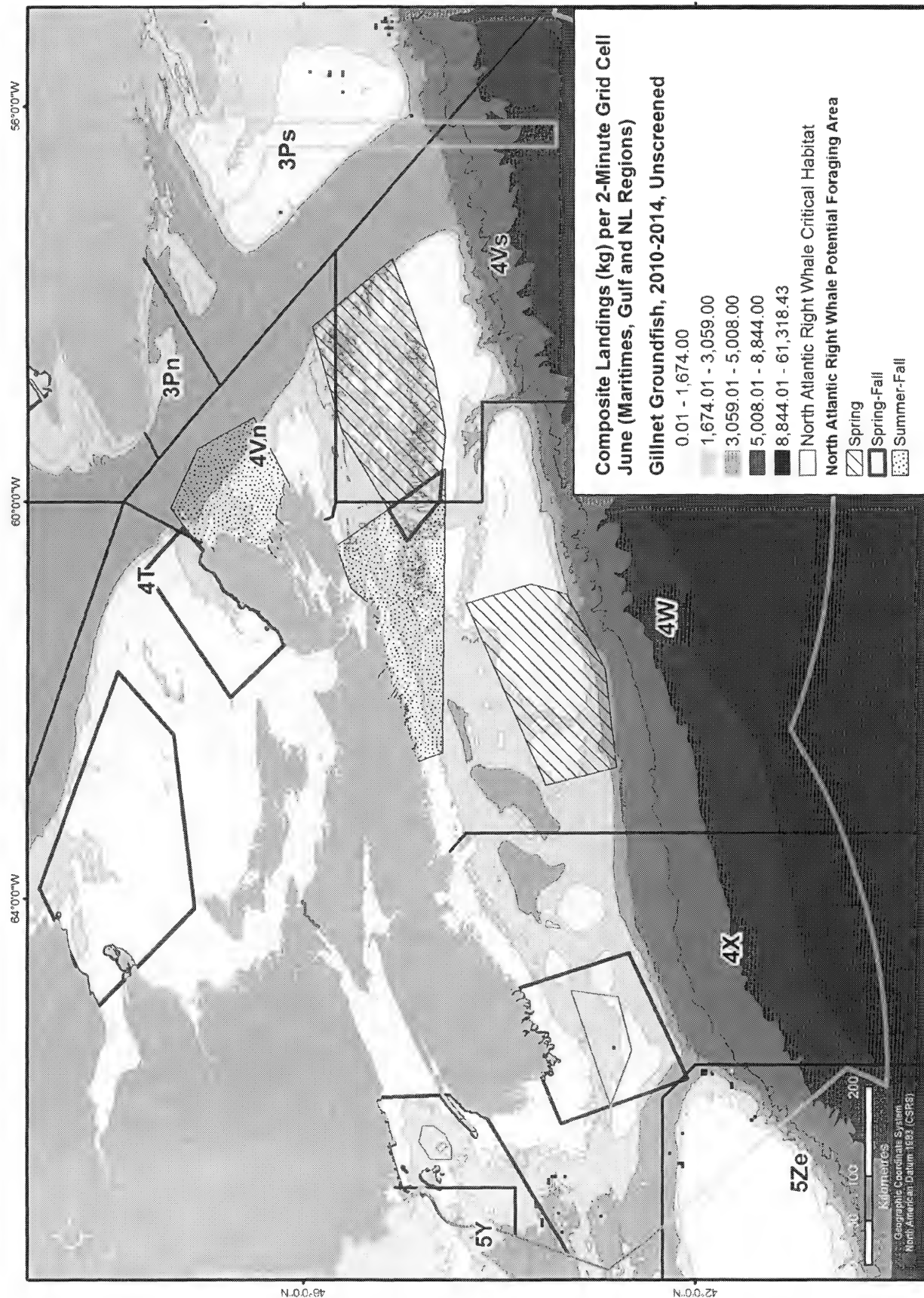


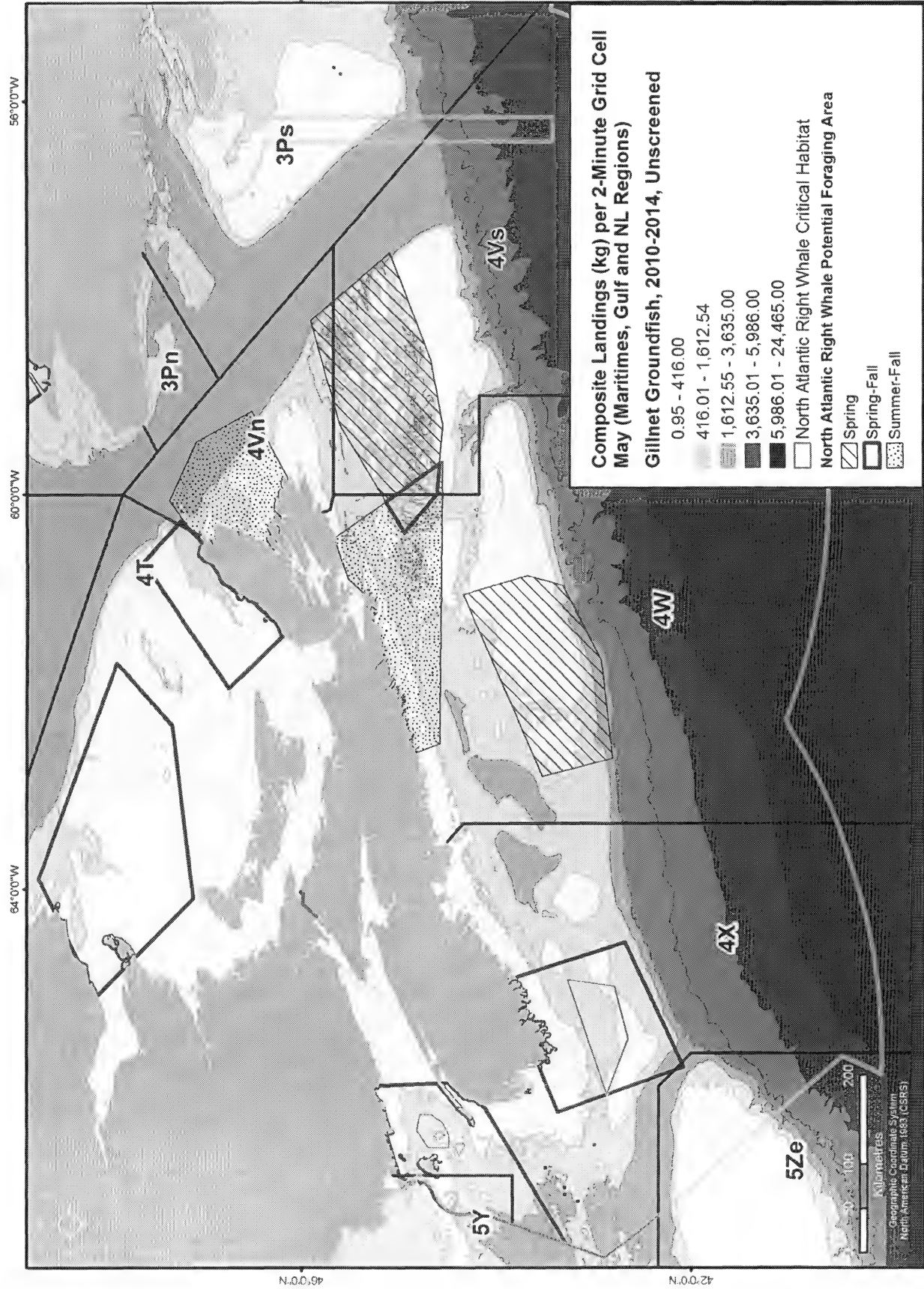


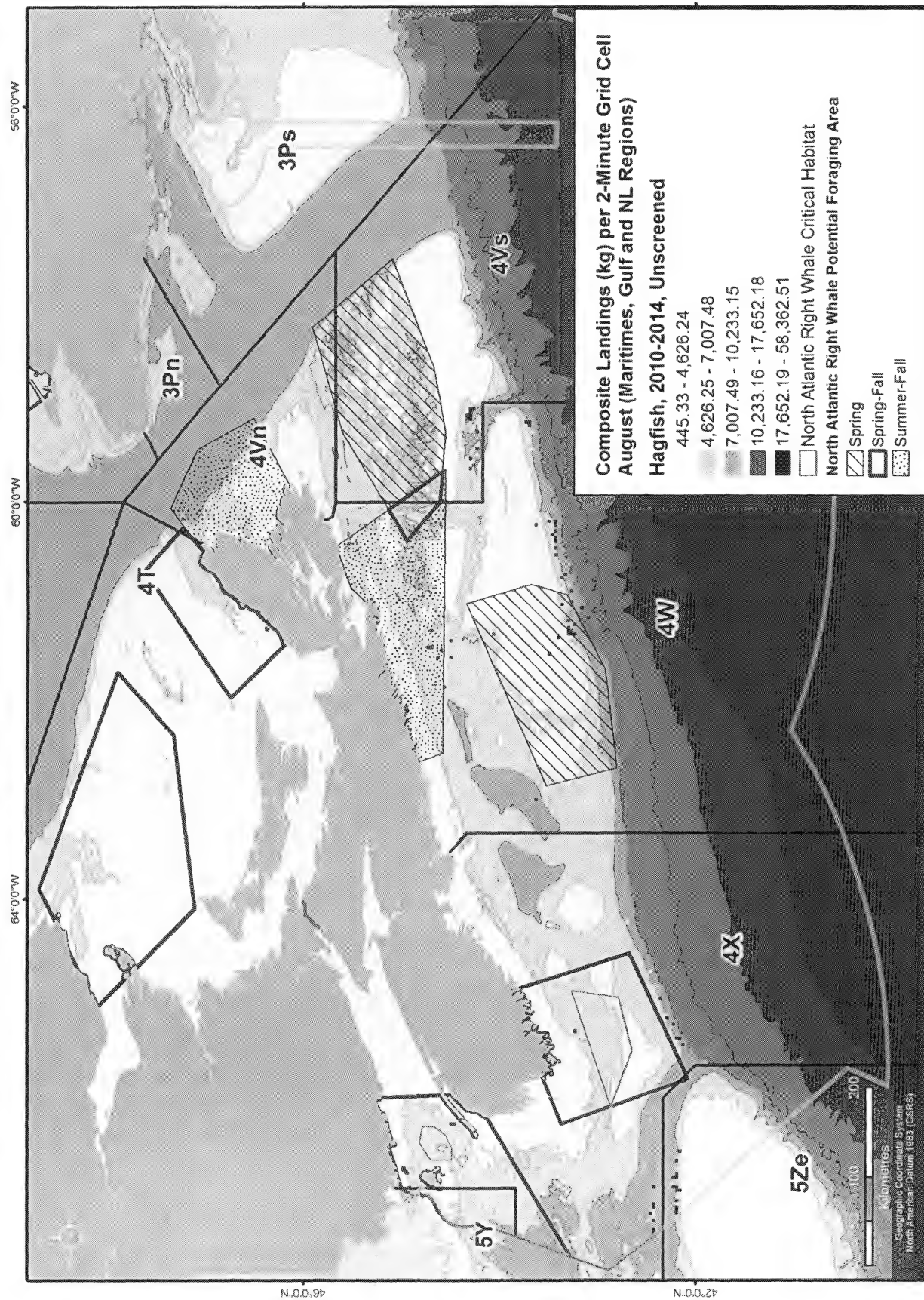


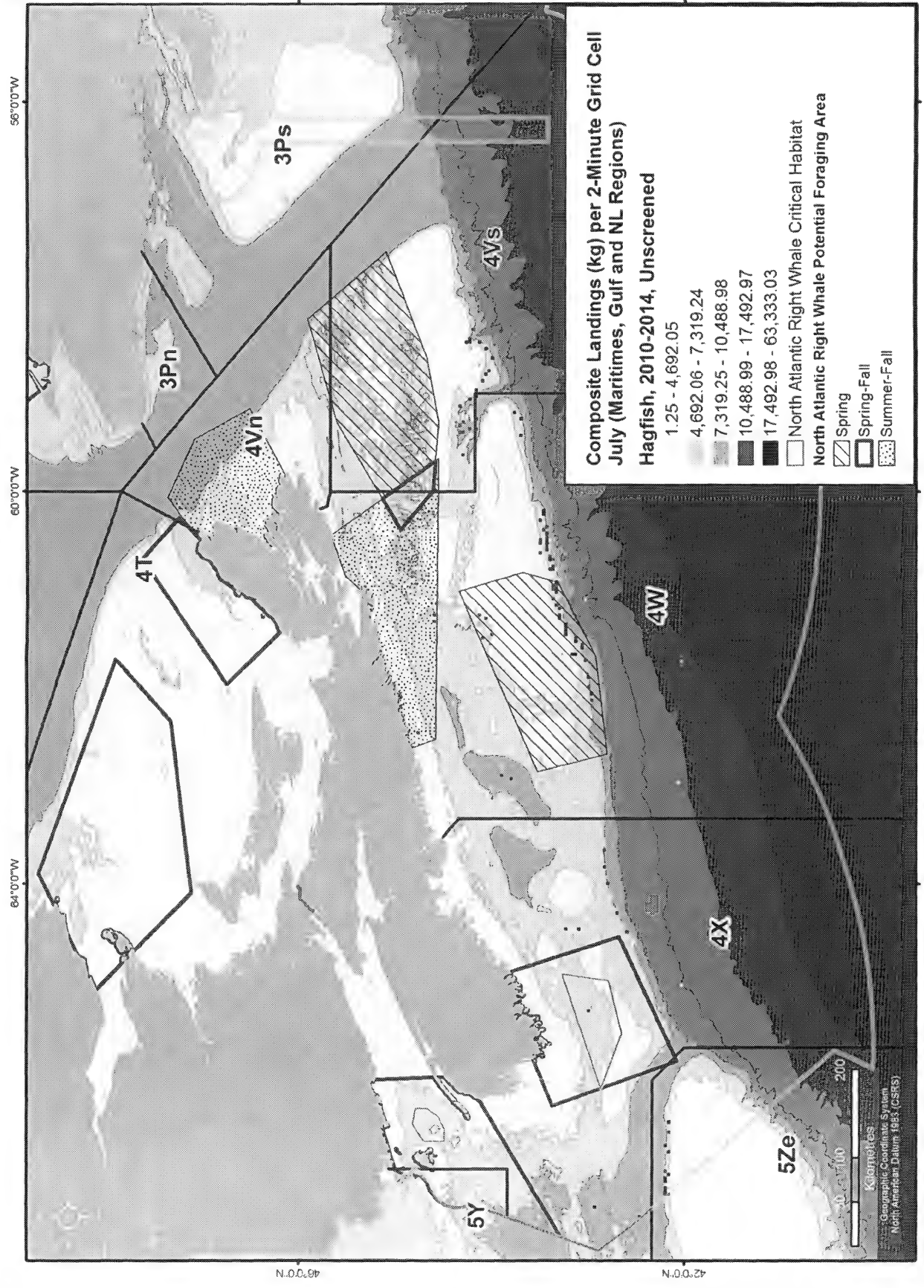












Van Bemmell, Alexis

From: Jenkins, Randy
Sent: May-10-18 8:36 AM
To: Gilchrist, Brett; Landry, Melissa; McRory, Jody; Moore, Kendra; Van Bemmell, Alexis
Subject: FW: Maritimes Region memo _ re Management Measures related to Critical Habitat
Attachments: TAB 1 Response to NARW in Mar Region-May 3.docx

Follow Up Flag: Follow up
Flag Status: Flagged

FYI.... Maritimes Response Protocol....

From: Sweet, Marilyn
Sent: Thursday, May 10, 2018 7:27 AM
To: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: RE: Maritimes Region memo _ re Management Measures related to Critical Habitat

Here is the attached updated protocol.

Mar

From: Jenkins, Randy
Sent: May-09-18 5:58 PM
To: Daley, Annette; Sweet, Marilyn
Cc: Berthier, Jacinta
Subject: RE: Maritimes Region memo _ re Management Measures related to Critical Habitat

Thanks.

From: Daley, Annette
Sent: Wednesday, May 9, 2018 4:27 PM
To: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>
Cc: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: FW: Maritimes Region memo _ re Management Measures related to Critical Habitat

Marilyn, I think you said you had a more recent version of the regional protocol than the one attached to the email Jacinta sent yesterday for NHQ reviews – can you pls ensure Randy has the correct version to review – the version that was attached to the paper file that went to RDGO.

Annette

From: Burns, Adam
Sent: Wednesday, May 9, 2018 5:07 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Landry, Jean <Jean.Landry@dfo-mpo.gc.ca>
Cc: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Patrick, Lindsey <Lindsey.Patrick@dfo-mpo.gc.ca>
Subject: FW: Maritimes Region memo _ re Management Measures related to Critical Habitat

A few other comments from Randy.

From: Jenkins, Randy

Sent: May 9, 2018 3:57 PM

To: Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Whorley, David <David.Whorley@dfo-mpo.gc.ca>

Subject: RE: Maritimes Region memo _ re Management Measures related to Critical Habitat

s.21(1)(a)

s.21(1)(b)

With the memo itself (not the annexes) I would flag 2 items for your consideration.

1) On page 5, last paragraph it states...

The Maritimes Region is proposing similar dynamic closure measures as those which were approved for the Gulf Region (TAB 2), with additional focus being placed on identified critical habitat rather than in a possible foraging area. Depending on what fisheries are active at the time, the implementation of a dynamic closure will likely have an impact on fisheries.

2) In the advice and recommendations it states...

It is recommended that you approve one of the options below to guide responses to confirmed sightings of North Atlantic Right Whales in active fishing areas within the Maritimes Region.

With respect to the Annexes I need to review in more detail... especially the Protocol for Maritimes Region... to extent possible and to minimize confusion these should be reasonably consistent across regions and with NHQ.

Randy

From: Burns, Adam

Sent: Tuesday, May 8, 2018 4:34 PM

To: Whorley, David <David.Whorley@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>

Subject: FW: Maritimes Region memo _ re Management Measures related to Critical Habitat

Views?

From: Berthier, Jacinta

Sent: May 8, 2018 3:59 PM

To: Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>

Cc: Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Quinn, Frank <Frank.Quinn@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>

Subject: Maritimes Region memo _ re Management Measures related to Critical Habitat

Hello,

Please note that the attached Memorandum is being routed through the RDG's office today for approval, prior to going forward via the DM.

We incorporated comments from Adam in relation to the summary of engagement sessions and materials used, perhaps too much information, but it demonstrates an evolution and the scope of the discussions since last fall and in some cases, for a number of years.

The objective of the note is to seek direction on how we manage established critical habitat areas for NARW in Maritimes Region, [REDACTED]

Regards,
Jacinta

s.16(2)

s.21(1)(a)

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

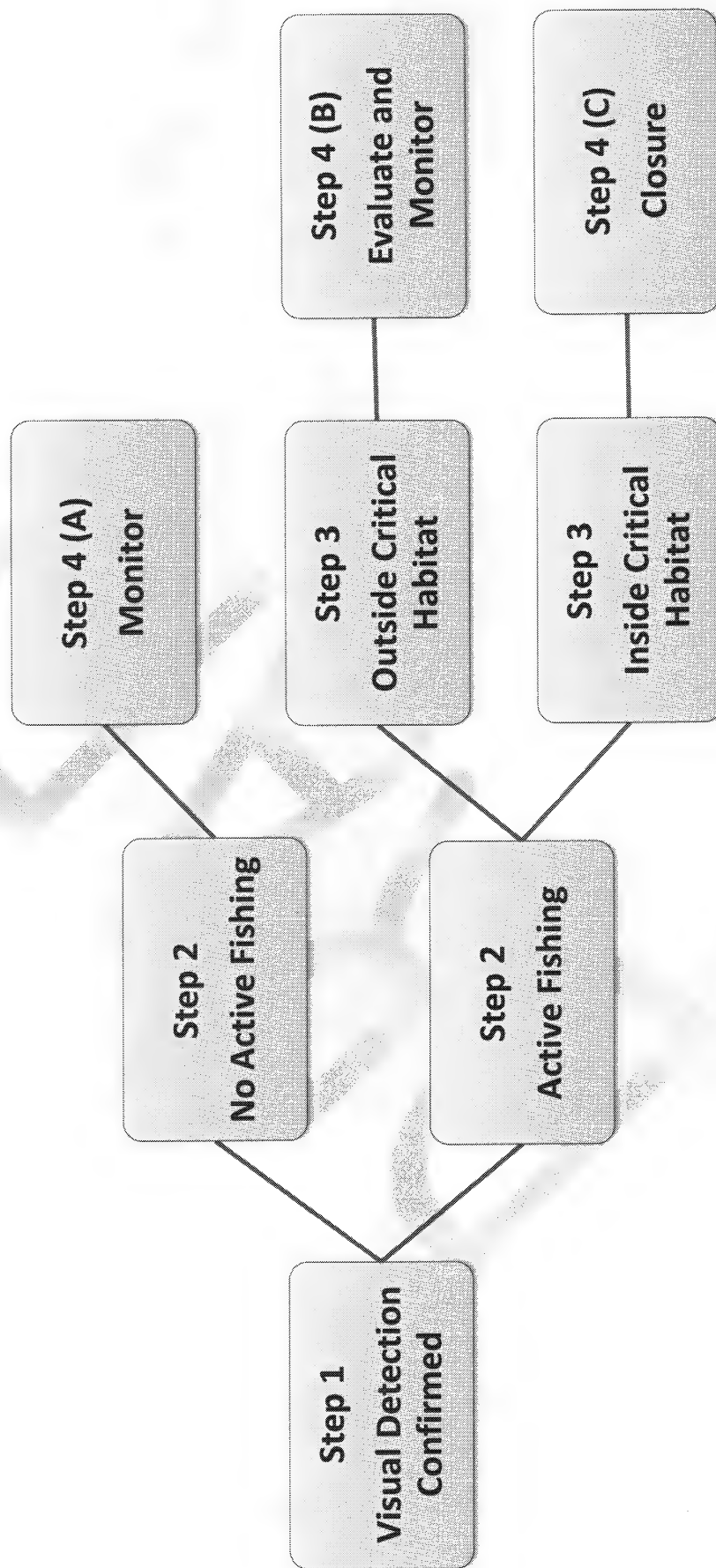
If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

Maritimes Region Draft Response Protocol: Confirmed Detection of North Atlantic Right Whales

May 3, 2018

Figure 1
Decision Tree



North Atlantic Right Whale: Maritime Region Response

This protocol describes the Maritime Region response to a confirmed sighting of a North Atlantic Right Whale (NARW). The decision tree provided in Figure 1 depicts the course of action to be taken by DFO's Resource Management (RM) Branch. Where a sighting is confirmed, relevant information is shared via email or phone with the Marine Mammal Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca - (902) 221-7269. (*update with MM phone number when BB received)

Step 1. Confirmation of Reported Sighting

DFO's Science Branch reviews reported NARW sightings. Reports are forwarded from multiple entities and need to be vetted. Where a sighting is confirmed, relevant information is shared with the Marine Mammal Coordinator via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is also responsible for consulting the website for updates on a daily basis. (*remove above paragraph when WhaleMap activated)

Where a sighting is confirmed, relevant information is shared via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is responsible for consulting the website for updates on a daily basis. (*change this for when WhaleMap is up and running to simply be presence is confirmed via WhaleMap)

Step 2. Determine if the Whale is in an Active Fishing Area

Resource Management will determine whether the confirmed sightings are in an active fishing area. Refer to the chart on Maritimes Region Fisheries Times for this step (*Appendix A*). If the whale is considered to be in an active fishing area, proceed to Step 3. If whales are not in active fishing area, proceed to Step 4.

Step 3. Determine if the Whale is in a Critical Habitat

Resource Management will determine whether the confirmed sighting is in a Critical Habitat. Refer to the map depicting North Atlantic Right Whale Critical Habitats (*Appendix B*).

If the whale(s) is determined to be outside a Critical Habitat and outside an active fishing area, the response will be to monitor the situation – **Step 4 (A): Monitor**

If the whale(s) is determined to be outside a Critical Habitat and inside an active fishing area, the response will be to monitor and evaluate the situation on the advice of the NARW Working Group, led by National Headquarters – **Step 4 (B): Monitor and Evaluate**

If the whale(s) is determined to be inside a Critical Habitat, proceed to **Step 4 (C): Closure**

Step 4: Response Options

A) MONITOR

When a whale or whales are confirmed outside of active fishing areas, the Marine Mammal Coordinator will monitor the situation and advise colleagues in the Maritimes (via the Distribution List- *Appendix C*)

and counterparts in other Atlantic Regions and National Headquarters of relevant information as the situation evolves (contact information in Information Flow Document- *Appendix E*).

B) EVALUATE AND MONITOR

When NARW are confirmed in active fishing areas outside of Critical Habitat

Resource Management- Marine Mammal Advisor/Response Coordinator

- Consult fisheries opening list (*Appendix A*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- Inform counterparts in other Atlantic Regions and NHQ of the situation and actions to be taken (contact information in Information Flow Document- *Appendix E*).
- Relay following information to Distribution List (*Appendix C*).

- Required action to be taken
- Coordinates of the whale(s)
- Map of the sightings
- Time and date of the sightings reported
- Number of whales confirmed
- Any other relevant/important information

- Call a meeting of the *Distribution List* (*Appendix C*):

Meeting intent:

- Review *Whalemap* and confirmed sightings and overlay with active fishing in Maritimes.
- Provide recommendations for:
 - i. Discussions on a surveillance plan.
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitats, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.
 - iv. Determine what upcoming fisheries will be impacted by closure and may require delayed opening (proactively draft Notice to Fishers).
 - v. Discuss drafting of Variation Order for Dynamic Closure. The orders are drafted proactively in the event that a closure is required. Not to be distributed at this step. (Regional Director General approval required- Not at this step)

- Notice to Fishers is updated with details of pertinent information (*Appendix F*). Notice to Fishers issued states that: a NARW has been detected, the Department is monitoring and conducting surveillance; and requests harvesters to report sightings of NARW).
- Daily Updates: Resource Management to organize a daily call with the Distribution List and invited experts will be required to update on:
 - Subsequent sightings of the same whale (if identified).
 - Additional confirmed sightings of other NARW.
 - Surveillance measures required.
- Resource Management to sit on daily call of NARW Working Group (organized by National Headquarters).

Conservation and Protection

- Action Notice to Fishers of sighting information via Marine Broadcast. Notice is to be repeated for a 72 hour period.

Communications

- Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

C) OPTION DYNAMIC AREA CLOSURE

When a single NARW is confirmed in a known Critical Habitat (*Appendix B*) and within an active fishing area (*Appendix A*), fisheries will be **closed and planned openings will be delayed**. A Dynamic Closure will be implemented via a pre-determined grid system (*Appendix D*) covering a 3 x 3 (9 in total) grid with each grid representing 10 x 10 minutes. The closure will remain in effect for a 15-day period after which time it will expire unless there are additional confirmed sightings. The closure will be applied to all fixed-gear fisheries, including tended gear. Details of the closure ending are outlined below.

The steps outlined above in **Step 4 (B) Monitor and Evaluate** are to be followed, in addition to:

Resource Management- Marine Mammal Advisor/Response Coordinator will:

- During initial call of the Distribution List (*Appendix D*) include the following steps:
 - Recommendations for:
 - i. A detailed list of fisheries affected by closure
 - ii. Defining the closed area on a grid map (10x10 min grid) (*Appendix D*)
 - iii. Updating a Notice to Fishers with details of pertinent information (*Appendix F*).

Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Unfavourable weather conditions will be considered and the Notice to Fishers will be worded accordingly).

- Notice to Fishers and Variation Order is updated with details of closure (*Appendix F*) stating: a NARW has been detected in Critical Habitat, the Department is taking action to close fisheries, and requests harvesters to report additional sightings of NARW).

Following the Notice to Fishers being distributed, a daily call with the Distribution List (*Appendix C*) and invited experts will be required to update on:

- Subsequent sightings of the same whale (if identified)- consult *Whalemap*
 - Additional confirmed sightings of other NARW
 - Confirm compliance with Dynamic Closure and concerns from Conservation and Protection
- Resource Management to sit on daily call of NARW Working Group (organized by National Headquarters).

Conservation and Protection

- Action Notice to Fisheries via the Marine Broadcast. Notice will be repeated for a 15-day period.
- Seek approval of Variation order from Regional Director General and action via the Marine Broadcast. Notice will be repeated for a 15-day period.
 - If there are no confirmed sightings during the 15-day period, the fisheries can reopen. If there are confirmed sightings, the variation order will be extended for an additional 15 days from last confirmed sighting.

Communications

- Prepared communications materials are distributed and media contacts are notified upon approval and as the variation order is published.

Details of the Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15-day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

Appendix A: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round					Yes
4WX5z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4Vn	Atlantic halibut	Longline		Year-round	now				No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	April 30	June 30				No
LFA 29	Lobster	Traps/pots	63 licences	April 30	June 30				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No
LFA 33	Lobster	Traps/pots	695 licences	Nov 26	May 31				No
LFA 34	Lobster	Traps/pots	979 licences	Nov 26	May 31				No
LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31				No
LFA 36	Lobster	Traps/pots	177 licences	Nov 13	July 9				No
LFA 38	Lobster	Traps/pots	136 licences	Nov 13	Jun 29				No
Grey Zone	Lobster	Traps/pots		Jun 30	Nov 09				Yes
LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31				Yes
	Hagfish	Traps/pots		Apr 12	Oct 01				Yes
	Herring	Gillnet		Year round but active Summer/Fall					No
	Whelk/inshore	Traps		Late Summer/Fall					No
	Whelk/offshore	Traps	700 traps	Late Summer/Fall					No
	Large Pelagics	Longline	Approx 45 active licences	Year round but active May-Nov					Yes
	Mackerel	Gillnet		Apr 01	Dec 01				No
CB Area	Mackerel	Trapnet		Early Summer- November					No
CB Area	Herring	Trapnet		Early Summer- November					No
CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 14 – May 13 & July 21-					No

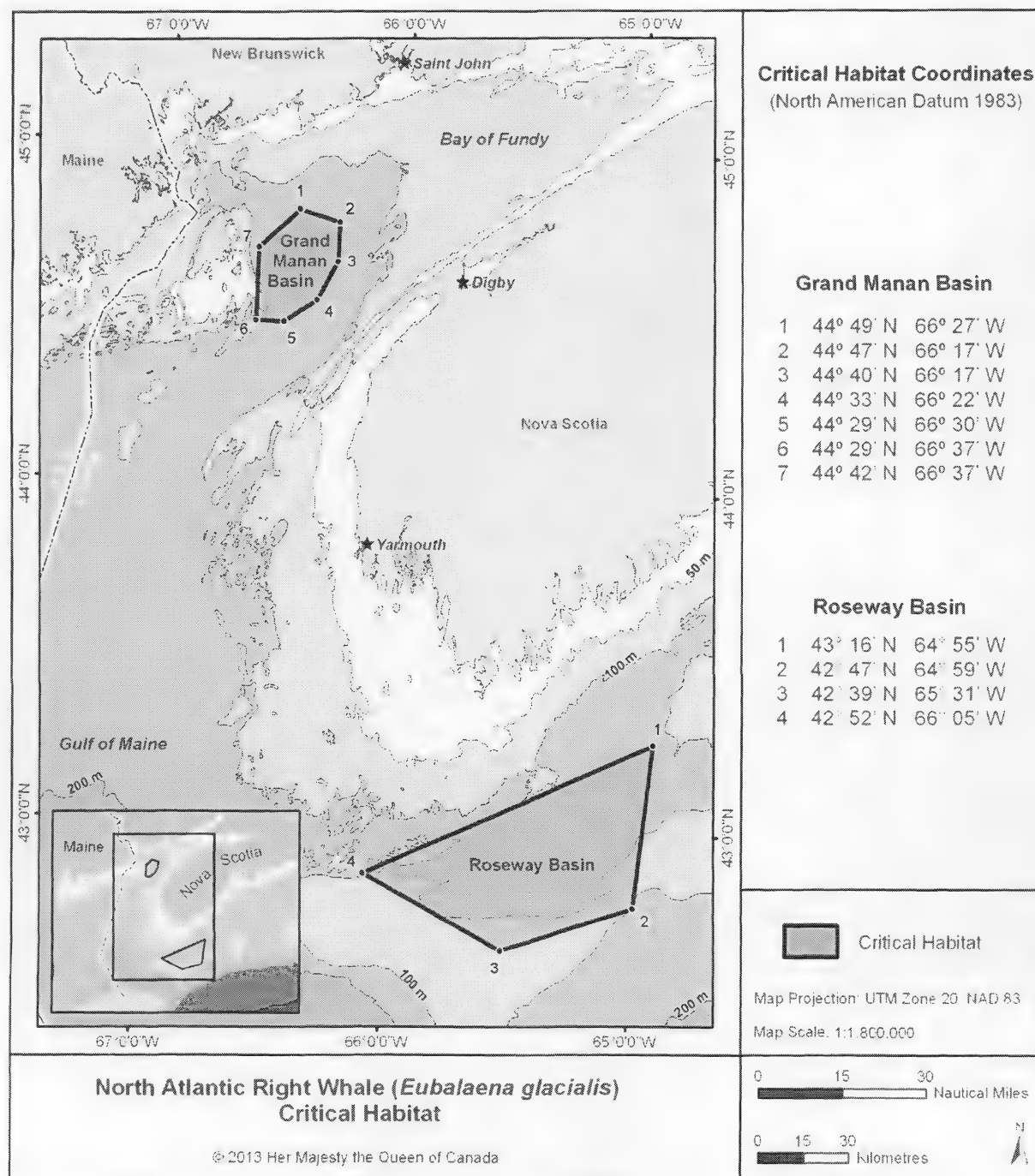
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NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
				Aug 18					
CFA 23	Snow crab	Traps/pots	62 licences	Apr 01	Aug 31				Yes
CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31				Yes
CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31				Yes
LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17				
LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10				
LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31				
LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31				No
LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31				
LFA 29,31a,31b,32	Rock Crab	Traps	12 licences	Aug 07	Dec 31				
LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22				
LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07				
LFA 36	Rock Crab	Traps	5 licences	Mar 01	Dec 31				No
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Jan 01	Dec 31				Yes

Green = updated

Blue = active fishery, may require coverage

Appendix B: North Atlantic Right Whale Critical Habitat

(From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters)

Appendix C: Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
	Brad Pye	(902) 499-0923	Brad.Pye@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437)	Catherine.Merriman@dfo-mpo.gc.ca
	Heidi Schaefer		
Oceans	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

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Important numbers (not part of the Distribution List)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- **Marine Mammals and Whales**
XMARWhaleSightings@dfo-mpo.gc.ca
1-844-800-8568
[Whale Alert mobile application](#)
- **Sea Turtles**
Canadian Sea Turtle Network
info@seaturtle.ca
1-888-729-4667

To report dead and distressed marine animals:

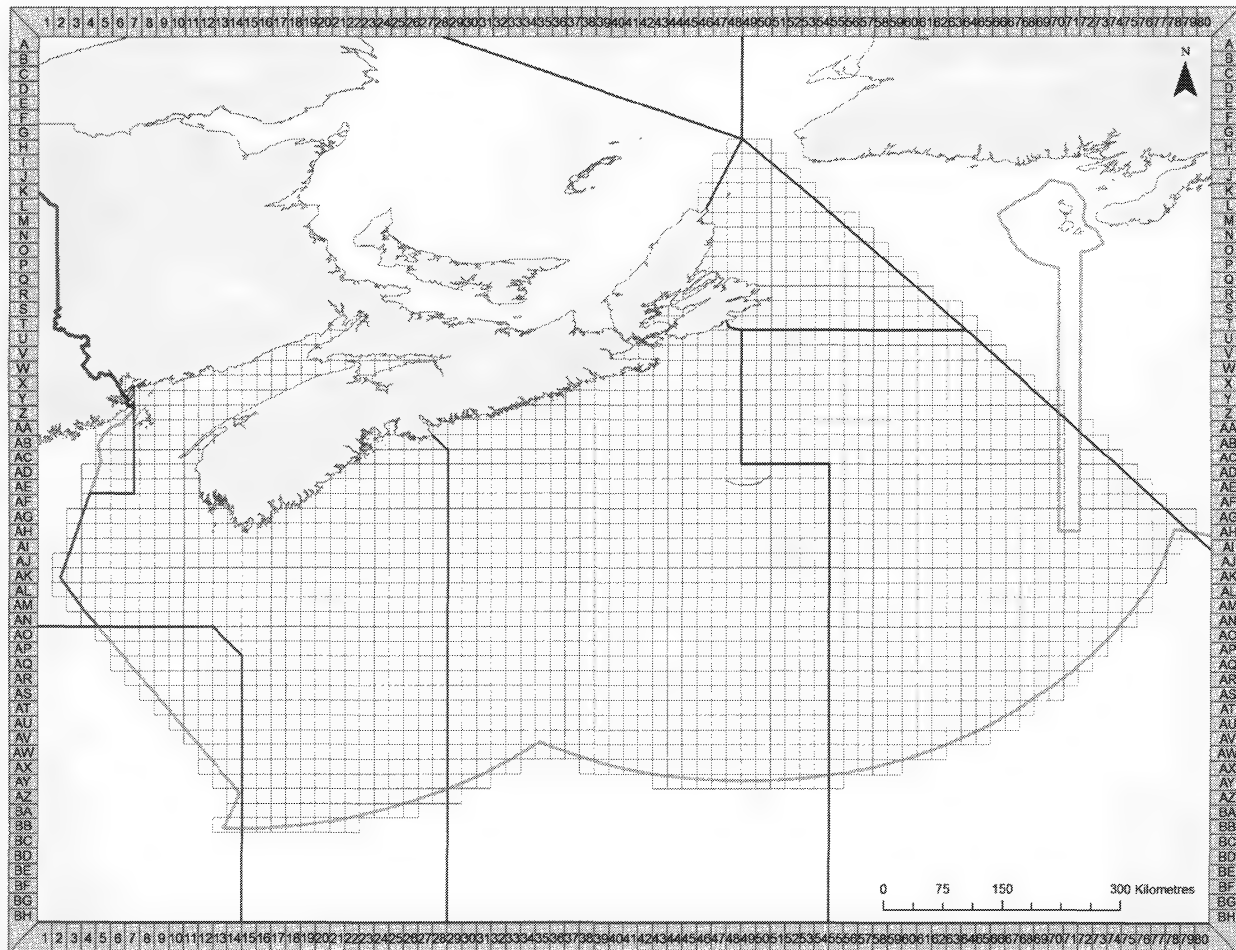
- **Marine Animal Response Society**
marineanimalresponse@gmail.com
1-866-567-6277
VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

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Appendix D: Maritimes Region in 10x10 minute grid



Appendix E: 2018 Information Flow Protocols for Fisheries Management Measures (National Protocol)

1) Confirmed live NARW Sightings by Trained Personnel

- a) If a live NARW is observed in the area of NAFO division 4T subject to "temporary closure" measures:
 - i) Personnel on the aircraft (or vessel) notifies the TC Situation Centre
 - ii) TC Situation Centre sends location of sighting, plotted on a map that contains the established grid quadrants, to the NARW Urgent Distribution List (see Annex 1)
 - iii) The Gulf FAM on-duty initiates the Variation Order process to close fixed gear fisheries in a 3 x 3 quadrant area around the quadrant containing the NARW
 - iv) NHQ will brief up on the situation to senior management
- b) All confirmed NARW sightings reported through the science established process to the Maritimes science group:
 - i) A daily sightings map containing the location of the NARW sighted the previous day will be prepared by DFO science and transmitted mid-morning to recipients via the Whales Alert Email Distribution List (see Annex 1)
 - ii) Following receipt of the science information, a daily weekday conference call of a NARW Working Group (NARW WG) (representatives from FAM/Science/SARA with NHQ/FRM as secretariat) will be convened to review map and determine if there is any activity that warrants engagement of more senior management (DG/RDs) (WG membership – see Annex 2)
 - iii) The relevant RD is advised of any presence or activity of NARW that requires further discussion or examination
 - (1) The RD sends notification via the Whales Alert Email Distribution List (*Annex 1*)
 - (2) A teleconference is convened with Atlantic RDs and DG FRM (NHQ/FRM is secretariat)
 - (3) A review of the situation is undertaken and a decision on action (if any) taken.
 - (4) Appropriate action initiated (and update provided to Whales Alert Email)

2) Incident involving *LARGE WHALE (alive or dead) – (**bigger than a minke*)

- a) Whether report is from DFO personnel, call to DFO or call to Third Party 1-800, first point of contact is MM Coordinator (or designate – regions to specify contact number) in relevant region
- b) MM Coordinator notifies via the Whales Alert Email Distribution List (see Annex 1) of the report.
- c) MM Coordinator works with the relevant response network, C&P, Science, SAR, Communications, CCG etc and initiates the appropriate response
 - i) For entanglements, entanglement response protocol to be followed
 - ii) NOTE: If an entanglement is spotted from an aircraft the personnel can call the TC Situation Center to report and they can forward via the Whales Alert Email Distribution List
- d) Subsequent situational updates via the Whales Alert email (*Annex 1*) at discretion of the relevant RD

3) Incident involving smaller whales or OTHER MARINE MAMMAL (alive or dead)

- a) MM Coordinator is the focal point for response
- b) If likely to be high profile / receive media attention, MM coordinator notifies Whales Alert Email (*Annex 1*)

- c) If lower profile, notify only RD as per regional protocol
- d) MM coordinator initiates the appropriate response
- e) Subsequent Updates to Whales Alert Email at discretion of relevant RD

Third Party External Communications:

Third Party response network groups and any external person aboard a surveillance flight will be asked to obtain a "green light" from DFO/NHQ before any external communications related to whale sightings or incidents (unless there are other pre-approved arrangements in place – e.g. notification of mariners in the area for safety reasons)

Annex 1 – Email Distribution Lists

1) NARW Urgent Distribution List (from TC)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry

NHQ C&P: Darren Goetze, Judy Dwyer

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

RD FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert

DFO Comms: Ashley Jackson

Science: Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle

2) Whales Alert Email List (from Science)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry, Alexis Van Bommel, Jody McRory, Kendra Moore

C&P: Darren Goetze, Judy Dwyer, Josée Annie Verville, Mike Cherry, Marc Naud, Lloyd Slaney, James Graves

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre, Pat Hall

SAR: Heidi Schaefer, Catherine Merriman

RD/Dir FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert, Tony Blanchard, Jacinta Berthier, Marc Lecoffe, Denis Gros-Louis

Science: Arran McPherson, Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle, Mike Hammill, Jack Lawson, Hilary Moores-Murphy,

Comms: Kathryn McElhone, Marian Hubley, Ingrid Nielsen, Kathleen Smith, Ashley Jackson

Other RM: Annette Rumbolt, Christa Waters

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Annex 2. Membership of NARW Working Group (NARWG WG)

Chair: Brett Gilchrist

FAM Members:

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

NHQ: Jody McRory, Kendra Moore, Melissa Landry

Science Members:

Jean Landry, Simon Nadeau, Christine Abraham

SARA Members:

Catherine Merriman, Corina Busby

Notice to Fish Harvesters

Month, XX, 2018

MARITIMES REGION –

(1) NORTH ATLANTIC RIGHT WHALE CONFIRMED IN MARITIMES REGION

OR

(2) CLOSURE TO FISHERIES AS A RESULT OF NORTH ATLANTIC RIGHT WHALE PRESENCE

(1)

Dartmouth – Fisheries and Oceans Canada (DFO) wishes to inform industry that (a) North Atlantic Right Whale(s) (NARW) has/have been confirmed in the Maritimes Region as of (date).

In 2017, there were an unprecedented number of deaths of NARW in Canada and the United States. As a result of this, the Government of Canada is taking measures to reduce the risk of interaction between NARW and fishing gear. In an effort to minimize the risks of interactions with the species, the Maritimes Region is requesting harvesters to report all sightings of North Atlantic Right Whales and Marine Mammals that are in distress or dead. All sightings of North Atlantic Right Whales should be reported to XMARwhalesightings@dfo-mpo.gc.ca or 1-844-800-8568. The following information must be provided in the report as soon as practicable:

- date and time of sighting;
- the latitude and longitude of your position when whale was sighted;
- the number of North Atlantic Right Whales observed;
- species certainty (certainty of species identification using the following codes: 1 = unsure/possible, 2 = probable, 3 = definite);
- identifying features (the features used to identify the species—for example, no dorsal fin for the North Atlantic Right Whale); and
- provide photographs if possible.

If you encounter a dead or distressed Marine Mammal you are asked to contact the Marine Animal Response Society at 1-866-567-6277 as soon as practicable. In this report, you will be asked to provide the following information:

- species encountered (if known);
- date and time of sighting;
- the latitude and longitude of your position when Marine Mammal(s) was sighted;
- the number of animals observed; and
- provide photographs if possible.

DRAFT

Please be advised that management measures, including temporary closures to some fishing activities may be required if more NARW are confirmed and the risk to the species increases. We appreciate the efforts the fishing industry is undertaking to help protect this species.

FOR INFORMATION:

Marilyn Sweet
Resource Management
Fisheries and Oceans Canada
Dartmouth, NS
902-221-7269

(2)

Dartmouth – Fisheries and Oceans Canada (DFO) wishes to inform industry that (a) North Atlantic Right Whale(s) (NARW) has/have been confirmed in the Maritimes Region as of (date). In 2017, there were an unprecedented number of deaths of NARW in Canada and the United States. As a result of this, the Government of Canada is taking measures to reduce the risk of interaction between NARW and fishing gear.

The whale(s) were confirmed in identified critical habitat and as a result, the Department is taking the precautionary measure of implementing a dynamic closure in the area for a minimum of 15 days. Please be advised that harvesters are required to remove their gear from the water and have 72 hours to retrieve fishing gear.

The area affected will be closed based on the following coordinates:

Point	North Latitude	West Longitude
1.		
2.		
3.		
4.		
5.		
6.		
7.		

DRAFT

All geographical coordinates (latitude and longitude) are expressed in the North American Datum 1983 (NAD 83) geodetic reference system.

Harvesters are requested to continue reporting all sightings of North Atlantic Right Whales and Marine Mammals that are in distress or dead. All sightings of North Atlantic Right Whales should be reported to XMARwhalesightings@dfo-mpo.gc.ca or 1-844-800-8568. The following information must be provided in the report as soon as practicable:

- date and time of sighting;
- the latitude and longitude of your position when whale was sighted;
- the number of North Atlantic Right Whales observed;
- species certainty (certainty of species identification using the following codes: 1 = unsure/possible, 2 = probable, 3 = definite);
- identifying features (the features used to identify the species—for example, no dorsal fin for the North Atlantic Right Whale); and
- provide photographs if possible.

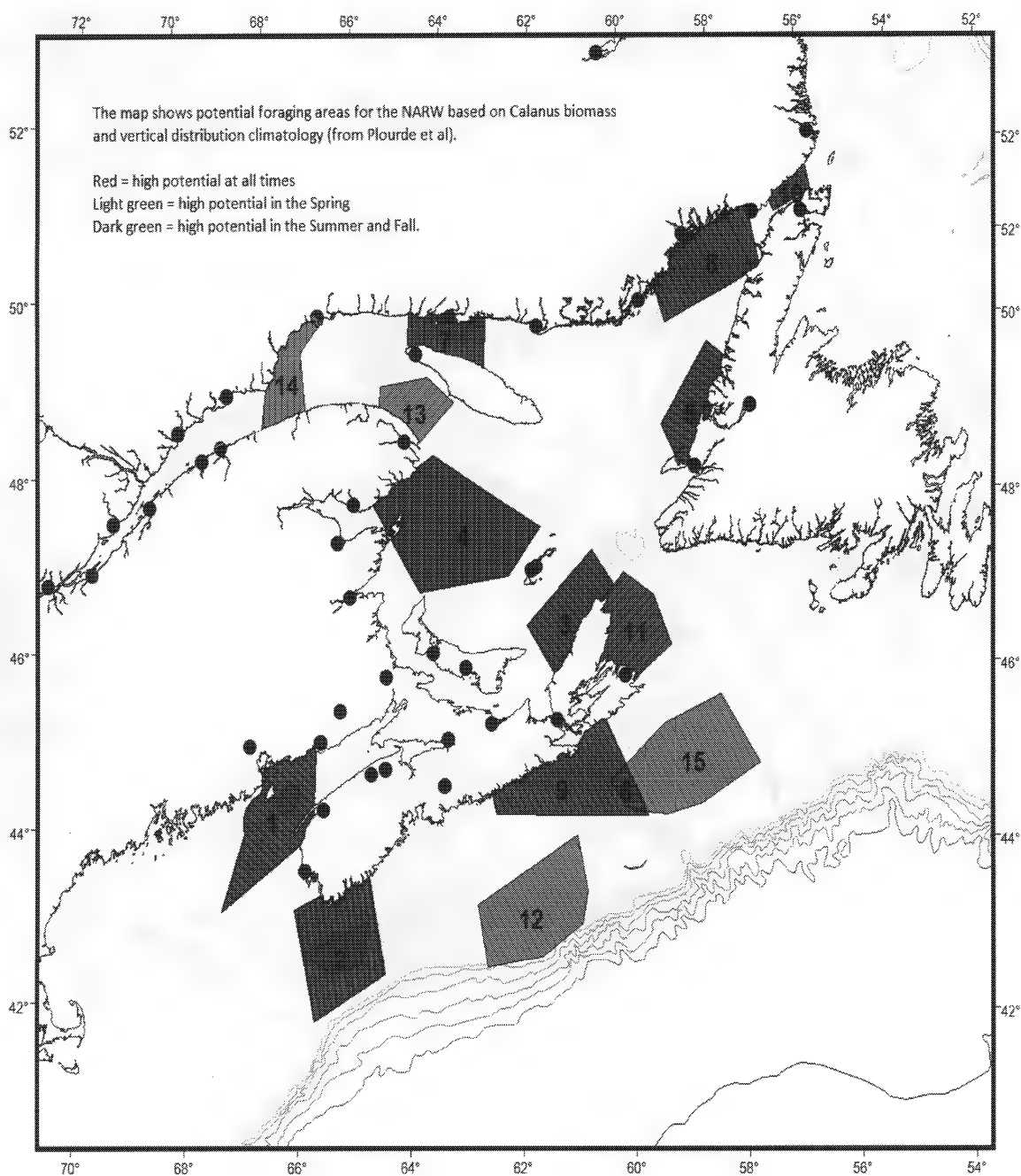
If you encounter a dead or distressed Marine Mammal you are asked to contact the Marine Animal Response Society at 1-866-567-6277 as soon as practicable. In this report, you will be asked to provide the following information:

- species encountered (if known);
- date and time of sighting;
- the latitude and longitude of your position when Marine Mammal(s) was sighted;
- the number of animals observed; and
- provide photographs if possible.

The fishing industry will be advised if changes are made to the coordinates or duration of the dynamic closure. We appreciate the efforts the fishing industry is undertaking to help protect this species.

FOR INFORMATION:

Marilyn Sweet
Resource Management
Fisheries and Oceans Canada
Dartmouth, NS
902-221-7269

Predictive Map of Potential Foraging Areas by Time of Year (For information only)

Caines, Allison

Subject: TABLE TOP Deux: NARW MAR RESONSE PROTOCOLS
Location: DFO CONF Dartmouth-1ChallengerDr-VG1-LewisHKing CONF MPO

Start: Thu 5/10/2018 1:00 PM
End: Thu 5/10/2018 3:00 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Daley, Annette
Required Attendees: Humphrey, Donald; Niven, Sherry; Sweet, Marilyn; Waters, Christa; Prall-Dillman, Sheila; Merriman, Catherine B; Higginson, Simon; Labelle, Mark; MacDonald, Heidi; Coffen-Smout, Scott; Schaefer, Heidi
Optional Attendees: Berthier, Jacinta; Gentile, Paul; Millar, Harvey; Comley, Mark; Hawkins, Margaret J; Cheney, Sarah; Pye, Brad; Moors-Murphy, Hilary; Vanderlaan, Angelia S.; Wingfield, Jessica; Emery, Pamela; Webster, Corey J; Buott-Matheson, Debra; Hayden, Jazmine; Gilchrist, Brett; Walcott, Joe; Mossman, Scott

Agenda:

- 1) Welcome and purpose of the meeting (Annette) 5 min
- 2) Update on national protocol development (Jacinta / Annette) 10 min
- 3) Review of FM Protocols (Marilyn) 15 min
- 4) Monitoring and Surveillance Status – including WhaleMap update (Science, C&P) 10 min
- 5) Mapping options and information (Scott) 15 min
- 6) Operations Group development (Annette/Marilyn/Cathy) 15 min
 - a. Role of group
 - b. Situation centre
 - c. Updating NHQ – daily template
- 7) Communications update/plan (Deb) 10 min
- 8) Scenario run through (next steps) 10 min

Documents attached for tomorrow's meeting.



MAR - NARW_ TAB 1 Response
Memo to the Mi... to NARW in Mar...

Other protocols/documents/maps we should review or test now in this folder: R:\Regional Shared\NARW-Tasking & Coordination\Protocols and Procedures - APPROVED

To all invitees or attendees: pls feel free to forward the invite to anyone who you think would have an interest in attending. This session is intended to review various protocols/procedures/maps, to be followed up with a live "Exercise" scenario in about a week.

Please advise availability ASAP

Conference ID #

Dial in number 1-877-413-4788

Conference ID #



UNCLASSIFIED

20##-###-#####

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE
MANAGEMENT MEASURES FOR MARITIMES REGION IN 2018**

For Decision

SUMMARY

This note is seeking your decision on options to use dynamic closures if required to reduce the risk of endangered North Atlantic Right Whale (NARW) interactions with fixed-gear fisheries in the Maritimes Region for the 2018 fishing season.

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia and in 2009, the *Species at Risk Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat.

Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individual whales predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs off Nova Scotia.

s.21(1)(a)

BACKGROUND

The North Atlantic Right Whale (NARW) was listed as endangered under the *Species at Risk Act* (SARA) in 2005. The population estimate for 2015 was 458 animals (95% confidence interval (CI): 444-471 animals), of which only 186 (95% CI: 174-195) were females of reproductive age. Only 5 calves were documented in 2017 and no calves have been observed to date in 2018. There is evidence indicating that the population has been in decline since 2010.

-2-

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia. The *SARA Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat in 2009. While there appears to be a shift in distribution of NARW, in recent years with more sightings being reported in the Gulf of St. Lawrence, NARW still occur in their identified critical habitat in the Maritimes Region. More than thirty years of NARW research data support that these two high-use habitats function as adult foraging and feeding grounds, calf nursing and rearing grounds, and resting and socializing areas for the population.

Since 2010 there have generally been fewer observations of NARW in Nova Scotia waters as compared to previous years (with the exception of 2016). In 2015 and 2017, more NARW sightings were reported in the Gulf of St. Lawrence than have previously been documented, though more search effort also occurred in the area during these years. In 2017, an unprecedented 12 NARW were found dead in the Gulf of St. Lawrence, with an additional five live-entangled individuals documented in the same area. Since June 7, 2017, a total of 18 NARW have been discovered dead in Canadian and US waters, resulting in an unusual mortality event being declared by the US, which remains in effect.

SARA includes prohibitions that protect both the listed species and its identified critical habitat. SARA Section 32 prohibits the harm, harassment, capture and killing of individuals of a listed species wherever they are found. Section 32 has been in force for the NARW since it was listed in 2005. The destruction of Critical Habitat is also prohibited under Section 58 of SARA. Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individuals predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs.

The Gulf Region has announced several measures for the 2018 fishing season as a means to reduce NARW interactions with fishing gear. A static closure to fishing activity began April 28th, 2018, in the area where 90 % of the 2017 sightings of NARW in Canadian waters occurred. These measures are outlined in the protocol for dynamic and static closures for the Gulf Region included in TAB 2.

In 2017, DFO carried out a science-based "Review of the Effectiveness of Recovery Activities for the North Atlantic Right Whales" as part of the Ocean Protection Plan. This review noted that "[r]educing the spatiotemporal co-occurrence of North Atlantic Right Whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled." It specifically identified removing gear from identified critical habitat and from other high-use areas by implementing spatiotemporal closures to fishing activities when NARW are present as one of the most effective activities to reduce the threat of fishing-gear entanglement.

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Supporting this recommendation, two Canadian studies identified spatiotemporal closures to fisheries as an efficient measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017, attached in TAB 3 and TAB 4). Vanderlaan et al. (2011) examined the risk of lethal interactions with NARW and different fishing gear types in Canada by examining the overlap of fishing activity with whale presence. Higher risk fisheries occurred in Critical Habitat, with groundfish bottom longline posing the greatest risk of entanglement in Critical Habitat during the summer residency period and the lobster fishery posing the greatest risk during migratory periods in spring and fall. Brillant et al. (2017) show that about a third of the annual risk of entanglement for NARW in Canadian waters occurs in their identified Critical Habitat and suggest that the most effective and efficient action to reduce this risk is to seasonally restrict fishing in Grand Manan and Roseway Basins to periods when NARW are not present.

The use of fixed fishing gear in Canada and the US is often identified as posing a high risk of entanglement or entrapment for NARW (Vanderlaan et al. 2011). It is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW, though there is little understanding of exactly how entanglements occur and little evidence to support which gear modifications would reduce the risk of entanglement. Many of the recommendations from the scientific community have thus focused on spatio-temporal avoidance as the most effective means of reducing the risk of entanglement. The gaps in our knowledge of how entanglements occur coupled with uncertainty in NARW distribution highlight the need for implementing a precautionary approach to managing potential NARW and fisheries interactions.

STRATEGIC CONSIDERATIONS

Based on discussions at dedicated industry engagement sessions and Advisory Committee meetings in advance of season openings, a number of management measures have been implemented for the 2018 season in the Maritimes Region (TAB 5). These measures include the requirement to report interactions with all marine mammals and the mandatory reporting of lost gear in all fisheries, as part of a national requirement for all fisheries. Additional measures for Crab Fishing Areas 20-24 include a maximum length of 9.1 meters of rope between the primary and secondary buoy and a requirement to reduce / eliminate floating rope on the surface. Additional measures developed in consultation with industry members for Lobster Fishing Areas 27-32 include a maximum length of 6.6 meters of rope between the primary and secondary buoy and an encouragement to reduce the amount of floating rope on the surface. The matter of reducing the risk to NARW and options for possible closures has been discussed with various fisheries for several years in the region.

The Maritimes Region is seeking guidance on appropriate management measures to further reduce possible interactions of NARW with fishing gear. As measures have been announced for areas in the Gulf of St. Lawrence (Gulf Region and Quebec Region), the Maritimes Region is seeking to communicate and clarify decisions related to overarching mitigation measures for the

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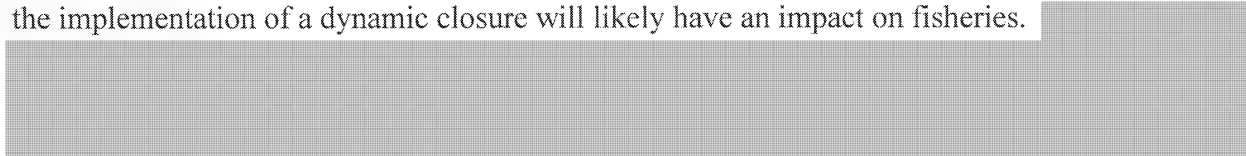
Scotian Shelf Bioregion, in particular for areas where historically NARW were frequently observed and can reasonably be expected to occur in 2018.

Departmental staff have prioritized potential solutions by their likelihood of preventing entanglements. Prevention of entanglements (e.g. earlier or delayed seasons, rope reduction) should be given the highest priority, followed by mitigation (e.g. changes to gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly. Therefore the focus is on preventing interactions from occurring by reducing the spatial overlap of fishing activity when NARW are present.

Conservation and Protection (C&P) and Science Branches have collaborated on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW sightings are confirmed in the Maritimes Region. Recommendations regarding tasking for aerial surveillance by the C&P Branch will be discussed as part of established procedures.

s.21(1)(b)

The Maritimes Region is proposing similar dynamic closure measures as those which were approved for the Gulf Region (TAB 2), with additional focus being placed on identified critical habitat rather than in a possible foraging area. Depending on what fisheries are active at the time, the implementation of a dynamic closure will likely have an impact on fisheries.



SCIENCE ADVICE

The dynamic closures proposed in this note to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches that have been used in other jurisdictions (e.g., US). Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. Monitoring and reporting will be required to assess the effectiveness of these measures over time.

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops. There have not been any dedicated Indigenous-only sessions.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations. The possibility of dynamic


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closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised at Advisory Committee meetings since November 2017, as outlined in TAB 5, as well as having been discussed for several years with fisheries identified as higher risk in the region.

ADVICE AND RECOMMENDATIONS

It is recommended that you approve one of the options below to guide responses to confirmed sightings of North Atlantic Right Whales in active fishing areas within the Maritimes Region.



NEXT STEPS

The Maritimes Region will hold table-top exercises to test the NARW Response Protocol (TAB 1). This document will remain evergreen and will be updated as required.

Catherine Blewett
Deputy Minister



Dominic LeBlanc
Minister

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-6-

Minister's Comments:

Attachment(s): (5)

- 1) Maritimes Region North Atlantic Right Whales Response Protocol
- 2) Static and Dynamic Management Measures - Gulf Region 2018
- 3) Fishing-gear threat to right whales (*Eubalaena glacialis*) in Canadian waters and the risk of lethal entanglement (Angelia S.M. Vanderlaan, R. Kent Smedbol, and Christopher T. Taggart) (<http://www.nrcresearchpress.com/doi/pdf/10.1139/f2011-124>)
- 4) A timely opportunity to protect North Atlantic right whales in Canada (Sean W. Brilliant, Tonya Wimmer, Robert W. Rangeley, Christopher T. Taggart) (<http://www.phys.ocean.dal.ca/~taggart/Publications/Brillant%20etal2017MarPol.pdf>)
- 5) Maritimes Region Fishing Industry Engagement - NARW -Summary Information 2017-18



UNCLASSIFIED
GCCMS #: 20##-###-#####
EKME #: #####

To: Catherine Blewett
Pour:

Date:

Object: **NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE**
Objet: **MANAGEMENT MEASURES FOR MARITIMES REGION -2018**

From / De: Mary Ellen Valkenier, Regional Director General, Maritimes Region

Via:

Additional approvals:
Autre(s) approbation(s):



Material for the Minister
Documents pour le Ministre



Your Signature
Votre signature



Information

Screen: The Department has assessed this issue in full.
Filtre: ☒ It contains no reference to matters covered by the screen relating to J.D. Irving Limited.
☐ It contains matters referenced in the screen relating to J.D. Irving Limited, but in our view does not engage the screen.
☐ In our view, the screen relating to J.D. Irving Limited should be engaged.

Remarks: This briefing note was developed in consultation with the following
Remarques: regions/sectors:

Distribution:

Marilyn Sweet, Regional Senior FM Officer (902)221-7269/MEValkenier/pd

**Pages 760 to / à 778
are duplicates of
sont des duplicatas des
pages 732 to / à 750**

Waters, Christa

From: Quigley, Sara
Sent: May-10-18 10:20 AM
To: Waters, Christa
Cc: Sweet, Marilyn; Penny, Lorne
Subject: FW: Lobster - LFA 27 - dynamic closures
Attachments: Map.jpg; Notice to Fishers (2018_LOBSTER_Conservation Harvesting Plan (3)).pdf; Lobster_2018_LFA 27 - dynamic closures_othr_SMQ.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Christa - I've updated the document based on feedback from Marilyn, so the three documents are ready to go to Jacinta/Annette.

(Lorne – Marilyn says that consultations with stakeholders on the detail of the implementation of any protocol that may be developed for MAR waters is not the reason there's been no decision yet, so I've taken that statement out.)

Sara

From: Quigley, Sara
Sent: May-10-18 9:34 AM
To: Waters, Christa; Sweet, Marilyn
Cc: Penny, Lorne
Subject: Lobster - LFA 27 - dynamic closures

Hi

A decision is needed ASAP as to whether the dynamic closure protocol developed for the Gulf of St. Lawrence will apply to LFA 27. As instructed, I've pulled together a summary of the issue and a couple of options.

There are a couple of specific questions still for Marilyn, as well as an overriding question of whether we want to offer a recommendation. I don't have an opinion either way.

If it's decided that the protocol will apply, then we're going to need to pull together coordinates very quickly so that we're ready to implement if required.

Sara

Notice to Fish Harvesters

April 24, 2018

EKME 3890521
MCGE3890854

LOBSTER CONSERVATION HARVESTING PLAN - NEW MANAGEMENT MEASURES FOR 2018 AND BEYOND (LFA 23, 24, 25, 26A AND 26B)

Moncton – Fisheries and Oceans Canada (DFO), Gulf Region, announces the opening of the fishery and new management measures that will be in place in the Lobster Fishing Areas (LFAs) 23, 24, 25, 26A and 26B in 2018. Unless indicated otherwise, existing management measures remain in place.

Opening Dates in 2018

The fishery in LFAs 23, 24, 26A and 26B, as per the Atlantic Fishery Regulations, will be open April 30 at 6:00 a.m. and close on June 30 (inclusively), with the exception of a portion of LFA 26A-1 from Point Prim to Victoria, PEI and LFA 26B North which will open on May 7 at 6:00 a.m. and close on July 7 (inclusively). The 2018 fishing season in LFA 25 is tentatively scheduled to open on August 9 at 6:00 a.m., and close on October 10 (inclusively). The openings of the fishery on targeted opening dates are subject to ice and weather conditions.

NEW management measures to be implemented for the 2018 fishing season:

Increase in minimum legal size of lobster carapace (previously announced in 2018 by separate Notice to Fish Harvesters)

- 77 mm for all LFA 23, including sub-areas 23A, 23B, 23 C and 23D in 2018
- 73 mm in LFA 24 and LFA 26A-1 in 2018
- 74 mm in LFA 26A-1 in 2020
- 81.7 mm in LFA 26B South in 2018 and to 82.5 mm in 2019
- 77 mm in LFA 25 in 2018

For LFA 24

- All female lobster of a length 115 millimetres (mm) or greater shall be returned to the water immediately in a manner that causes it the least harm.
- A minimum of six traps per line.

A shift in the distribution of the North Atlantic Right Whales (NARWs) population in recent years has resulted in an increased presence of NARWs in the Gulf of St. Lawrence. In an effort to minimize the risks of interactions with this species, other marine mammals and species at risk, DFO is announcing important management changes in the Gulf Region lobster fishery.

Fishing Gear: Reducing the amount of rope floating on the surface of the water

The following requirements will be in place to minimize the length of rope floating on the surface of the water and to reduce the risks of entanglements:

- No rope attaching a lobster trap to a primary buoy shall remain floating on the surface of the water after the lobster trap has been set.

If using multiple traps per line:

- No rope attaching a lobster trap to another lobster trap shall remain floating on the surface of the water after the lobster trap has been set.

If fishing with a primary and secondary buoy:

- A maximum of 3.7 meters of rope shall be used when attaching a primary buoy to a secondary buoy.

Note: A primary buoy is defined as a buoy or other floating device attached to a trap. A secondary buoy is defined as a buoy or other floating device attached to a primary buoy.

Requirement to report lost gear

Licence holders will be required to report lost gear. This new management measure will help quantify the amount of gear lost annually and identify the need to increase efforts to retrieve gear that has been lost, which would reduce the risks of whale entanglements.

The following specific information must be reported to DFO by email (GLF.DFO.Gear-Engins.GLF.MPO@dfo-mpo.gc.ca) within 72 hours of noticing that the gear has been lost:

- sequence number of tag attached to the lobster trap that has been lost;
- vessel registration number or vessel identification number in the case of Aboriginal licence conditions;
- latitude and longitude of last known position of lost lobster trap; and
- date the lobster trap was last fished.

Marine mammal interaction reporting

In order to comply with the implementation of the US Marine Mammals Protection Act (MMPA) regulations, licence holders must now provide information regarding all interactions with a marine mammal including: bycatch, collisions and all sightings of entangled marine mammals that occur during fishing expeditions.

A Marine Mammal Interaction Form (included with licence conditions) must be completed and submitted by email to DFO.NAT.InteractionsMM-InteractionsMM.NAT.MPO@dfo-mpo.gc.ca within 48 hours after the end of a fishing trip.

The information provided on the form will be used by DFO to estimate levels of accidental mortality and injury to marine mammals. This information will allow DFO to better assess the types of threats that may affect Canada's marine mammals and to develop mitigation strategies.

Requirement to report sightings of live whales

Sightings of live, free-swimming whales must be reported to DFO by telephone: 1-844-800-8568, or by email: XMARwhalesightings@dfo-mpo.gc.ca.

Protocol for the dynamic management of the fisheries

DFO will implement a protocol for the dynamic management of the fisheries in 2018 which will close areas to fishing activities when the presence of NARW is observed. This protocol will allow DFO to close specific areas to fishing activities to prevent incidents with NARW, such as entanglements. DFO will use the existing soft shell/white crab grids to close areas due to the presence of NARW. These measures may be adapted as needed over the season.

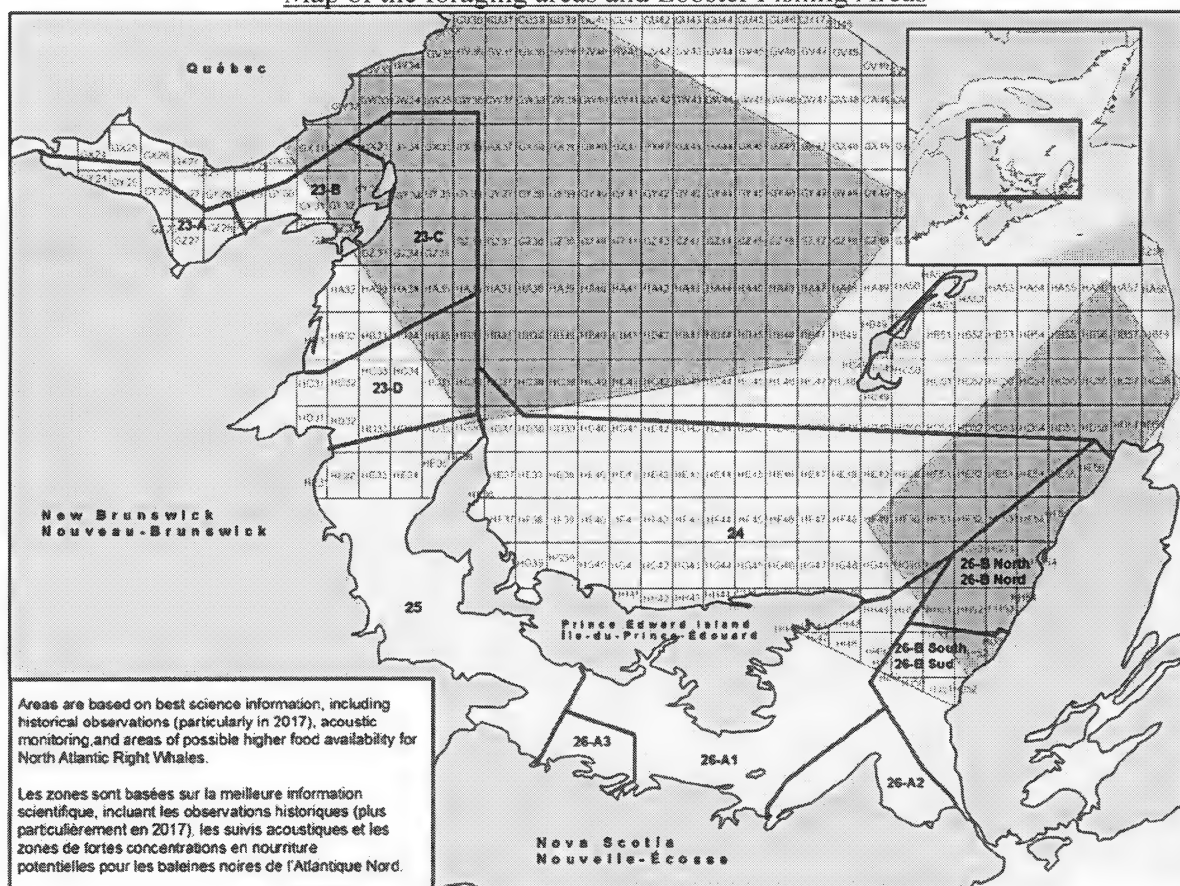
Observations inside a foraging area for the lobster fishery

When one NARW is observed inside a foraging area (see map below), a maximum of nine grids will be closed to provide a buffer area around the sighting location to account for whale movements.

Closing and reopening of the areas

Closures will be in force for a minimum period of 15 days and will be extended by 15 days from the last NARW sighting. If NARWs are not seen during at least two aerial surveillance flights during the 15 days period, the dynamic closure for the relevant sections will be automatically lifted at the end of the period. Closures will be regulated through variation orders and licence holders will be provided an advance notice of 48 hours to retrieve fishing gear from the area prior to closure.

Map of the foraging areas and Lobster Fishing Areas



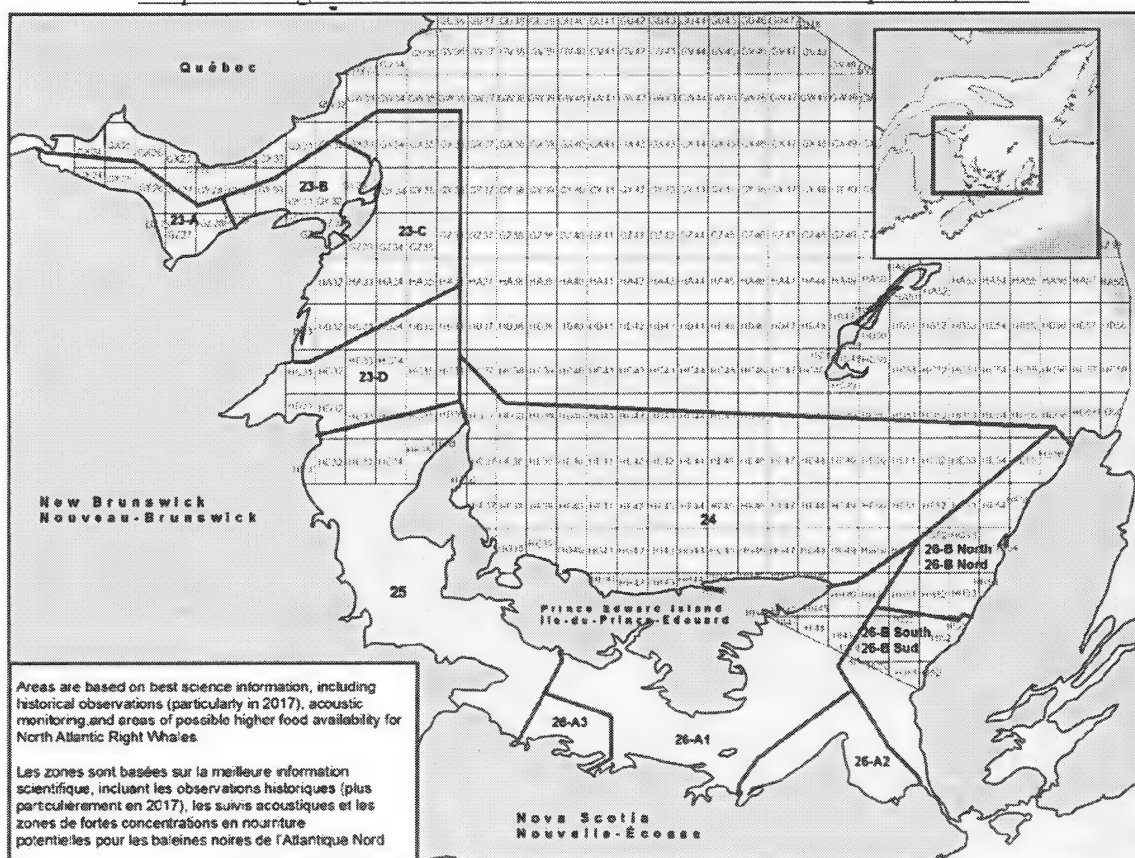
Static closure

DFO will implement a static closure in an area where 90% of the NARW observations occurred in 2017 to provide a large gear-free area for the NARWs, thus reducing the risk of gear interaction. The closure will be in effect on **April 28, 2018** or sooner if NARW are present. This measure may be adapted as needed over the season. The coordinates for the static closure are as follow:

Points	Latitude	Longitude
Position (north-west corner)	48 ° 00 ' 00 ''	64 ° 20 ' 00 ''
Position (north-east corner)	48 ° 00 ' 00 ''	63 ° 10 ' 00 ''
Position (south-east corner)	47 ° 20 ' 00 ''	63 ° 10 ' 00 ''
Position (south-west corner)	47 ° 20 ' 00 ''	64 ° 20 ' 00 ''

The point references are based on the geodesic system North American Datum 1983 (NAD83). Positions are expressed in degrees, minutes and seconds.

Map showing the static closure that will be in effect on April 28, 2018



Other Management Measures which will continue to apply in 2018:

Height and Length of Escape Mechanisms

The height of the escape mechanism as indicated in Table 1 needs to be adjusted according to the minimum legal carapace size in effect in each LFA (refer to Table 2 for minimum legal size).

Table 1

Length of escape opening between 127 mm and less than 254 mm	
Minimum legal carapace size	Height of escape opening
>71 mm to 73 mm	42 mm
>73 mm to 76 mm	43 mm
>76 mm	44 mm
Length of escape opening equal to or greater than 254 mm	
Minimum legal carapace size	Height of escape opening
>71 mm to 73 mm	41 mm
>73 mm to 76 mm	42 mm
>76 mm to 80 mm	43 mm
>80 mm	44 mm

Table 2: Major Management Measures in 2018
Lobster Fishing Areas 23, 24, 26A, 26B

	Minimum legal carapace size (mm) ¹	Window size females (mm) ²	Maximum number of traps	Minimum number of traps per line ³	Maximum hoop size (mm)
23A	77	115-129	300	n/a	152
23B	77	115-129	300	n/a	152
23C	77	115-129	300	In a portion of 23C : 3 traps	152
23D	77	115-129	300	In a portion of 23D: 3 traps	152
24	73	115	300	6 traps	n/a
25	77	115	240 PEI 250 NB 225 Gulf NS	n/a	152
26A-1	73	115-129	272 PEI 280 Gulf NS	In a portion of 26A-1 adjacent to PEI: 6 traps (extended in 2017) 26A-1 (Gulf NS fishers only): 5 traps	n/a
26A-2	76	115-129	255 and 275 ⁴	6 traps	152
26A-3	76	115-129	250	2 traps	n/a
26B South	81.7	n/a	250	n/a	n/a
26B North ⁵	82.5	n/a	250	5 traps	152

Notes:

¹See table 1 for height of escape mechanism corresponding to the minimum carapace size in effect.

²As defined by licence conditions (female lobster of a length of 115 mm but not more than 129 mm shall be returned to the water immediately in a manner that causes it the least harm).

³As defined by licence conditions.

⁴Commercial licence holders: 255 traps/Some Communal Commercial licence holders: 275 traps.

⁵Closure to fishing of Cheticamp Harbour.

Restrictions on the movement of lobster licences

For information on restriction on the movement of Lobster Licences you can refer to the Commercial Fisheries Licensing Policy for Gulf Region that can be found at the following link:

<http://www.glf.dfo-mpo.gc.ca/Gulf/Licenses-Delivery/Commercial-Fisheries-Licensing-Policy>.

Logbooks

DFO reminds licence holders that logbooks shall continue to be submitted on a monthly basis.

Further logbook details are available in your lobster licence conditions. The list of suppliers is available at the following Internet address: <http://www.dfo-mpo.gc.ca/fm-gp/sdc-cps/nir-nei/log-suppliers-eng.htm#gulf>.

Daily closed time

The daily close time from 9:00 p.m. to 4:00 a.m. in LFA 23 will remain in 2018. Further details are available in your lobster licence conditions.

Transit Corridors

As in 2017, there will be an approximate 200 m wide transit corridor open by Variation Order in LFA 25 from the boundary line of LFA 23/25 to Pointe Sapin, New Brunswick during the LFA 25 closed season allowing fish harvesters to transport their catches through that area (corridor) to reach their homeport and avoid using the smack boat. There will also be a transit corridor open in LFA 23D and one open in LFA 24 during the Fall LFA 25 season to transport their catches through the corridor. For that reason, there will be a validity period added to the LFA 23D, LFA 24 and LFA 25 licences. The season for each applicable LFA remains as listed in the Fisheries Regulations or announced in the Variation Order. A Vessel Monitoring System (VMS) is required if using the transit corridor. The coordinates for the various corridors are included in Variation Orders and/or licence conditions. The coordinates of the corridors are unchanged from 2017.

Before you go fishing

The Department has assembled a list of requirements and documents harvesters will need before they start fishing. This list is available at: <http://www.glf.dfo-mpo.gc.ca/Gulf/Before-start-fishing>

For information:

Sandra Comeau Resource Management, Eastern NB Fisheries and Oceans Canada, Gulf Region Tracadie, NB (506) 395-7765	Ben Moore Resource Management, PEI Fisheries and Oceans Canada, Gulf Region Charlottetown, PEI (902) 370-7094
Alan Dwyer Resource Management, Gulf NS Fisheries and Oceans Canada, Gulf Region Antigonish, NS (902) 735-7114	Josiane Massiéra Resource Management, Regional Headquarters Fisheries and Oceans Canada, Gulf Region Moncton, NB (506) 851-7290

LFA 27 – Application of Dynamic Closure Protocol for the Gulf of St. Lawrence

10 May 2018

Background

- There is currently a protocol of “dynamic closures” in place in three areas of the Gulf of St. Lawrence identified as important foraging areas for North Atlantic Right Whales (NARW). The protocol will involve closing specific areas to fixed gear fishing for a minimum of 15 days if an NARW is observed. The closures will be effected through variation orders, and licence holders will be given 48 hours’ notice to remove gear. The protocol was communicated to Gulf-based lobster licence holders on April 24, 2018, via the attached Notice to Fishers (“2018 LOBSTER Conservation Harvesting Plan”) and to Quebec-based licenced holders via the following Notice: https://inter-l01.dfo-mpo.gc.ca/applications/opti-opei/notice-avis-detail-eng.php?pub_id=1552&todo=view&type=1®ion_id=4&sub_type_id=5&species=700&area=1863. (The protocol was announced earlier by the Minister for the Gulf-based Snow crab fleets.)
- One of the foraging areas – approximately four grid cells – overlaps with Lobster Fishing Area (LFA 27), which extends into the Gulf of St. Lawrence. See map attached. LFA 27 is managed by Maritimes Region.
- Maritimes Region is also considering a dynamic closure protocol. The protocol is still under development and no decision has been made.
- LFA 27 opens on May 15th.

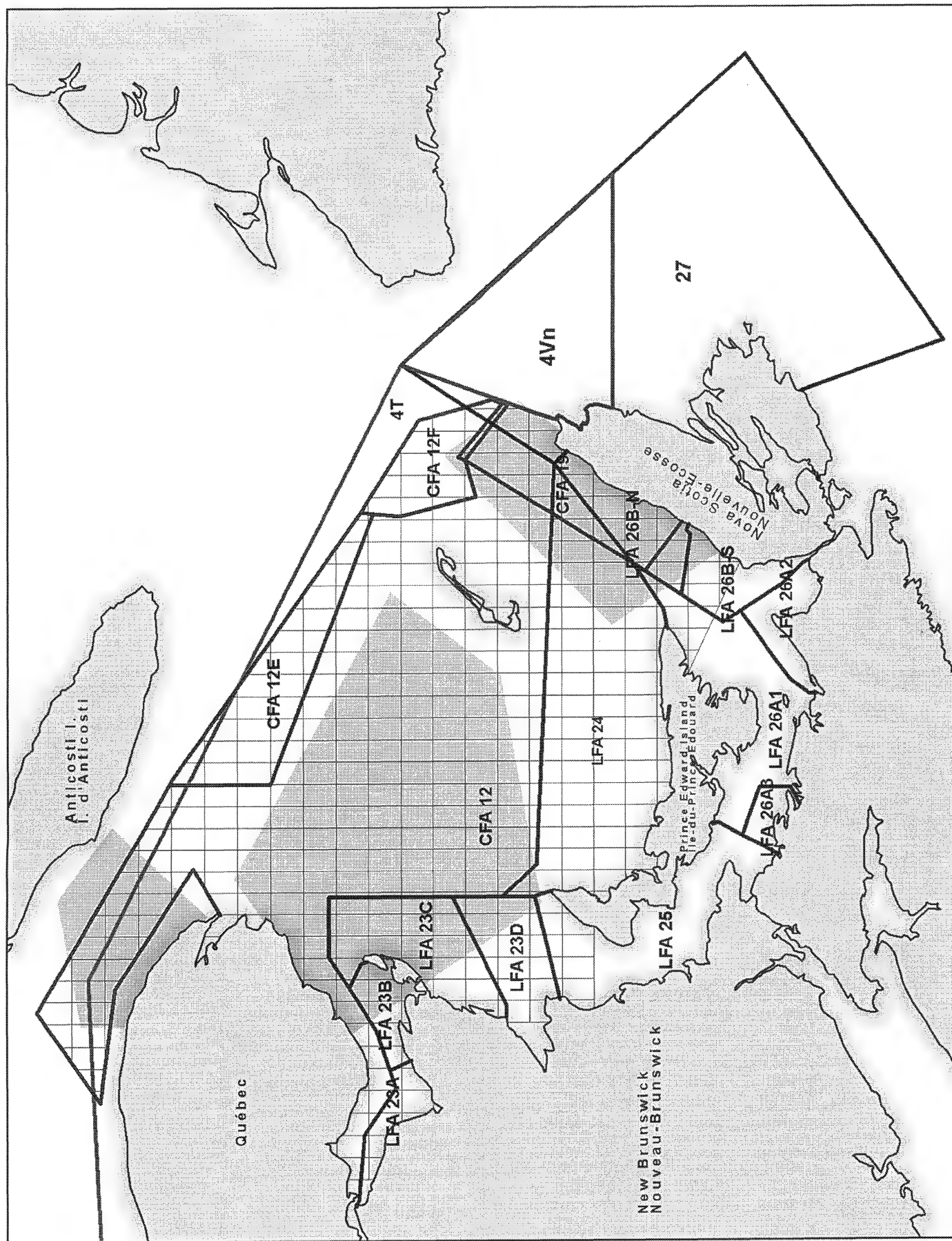
Question for Decision

- A decision is needed as to whether the dynamic closure protocol that has been developed and announced will apply to lobster fishing within that portion of LFA 27 that overlaps with the potential foraging areas within the Gulf of St. Lawrence. Options are as follows.
 1. Yes, the dynamic closure protocol will apply. Information on the need to close grids in LFA 27 will be communicated by Gulf Region to Maritimes Region. The closure will be implemented by Maritimes Region (i.e. Maritimes Region will prepare the variation order).
 2. No, the dynamic closure protocol for the Gulf of St. Lawrence will not apply. Decisions about closing areas of LFA 27 that are situated in the potential foraging area would be made and implemented by Maritimes Region according to whatever protocol may be developed for Maritimes Region waters.

Considerations

- Risks to NARW and the potential of time/area closures have been discussed in general terms during consultations with industry across Maritimes Region over the past year. However, there have not been consultations in LFA 27 specifically on the dynamic closure protocols. (Five Indigenous groups hold lobster licences in LFA 27: Membertou, Waycobah, Wagmatcook, Chapel Island, Native Council of Nova Scotia.)

- There are fixed gear fisheries managed by Gulf Region – Crab Area 19 and 4T Halibut – that overlap with that portion of LFA 27 that falls within the potential foraging area. If Option 2 is chosen, it could happen that these fisheries would be closed and LFA 27 would remain open. This would likely strike crab and halibut licence holders as unfair, and it may compromise the conservation objective of the closure.
- Lobster licence holders in adjacent LFAs (22, 24 and 26B) would likely consider it unfair if all fixed gear activity within the same foraging area is not subject to similar conservation measures



Waters, Christa

From: Waters, Christa
Sent: May-10-18 10:21 AM
To: Berthier, Jacinta
Subject: FW: Lobster - LFA 27 - dynamic closures

Not sure if you can or want to cover this on your call(if not we will discuss how to move forward for this):

There is currently a protocol of "dynamic closures" in place in three areas of the Gulf of St. Lawrence. The protocol was communicated to Gulf-based lobster licence holders on April 24, 2018, via the attached Notice to Fishers ("2018 LOBSTER Conservation Harvesting Plan") and to Quebec-based licenced holders via Notice to Fishers.

One of the areas overlaps with Lobster Fishing Area (LFA 27), which extends into the Gulf of St. Lawrence. See map attached. LFA 27 is managed by Maritimes Region.

A decision is needed as to whether the dynamic closure protocol that has been developed and announced will apply to lobster fishing within that portion of LFA 27 that overlaps with the potential foraging areas within the Gulf of St. Lawrence.

Risks to NARW and the potential of time/area closures have been discussed in general terms during consultations with industry across Maritimes Region over the past year. However, there have not been consultations in LFA 27 specifically on the dynamic closure protocols

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

From: Quigley, Sara
Sent: May-10-18 9:34 AM
To: Waters, Christa; Sweet, Marilyn
Cc: Penny, Lorne
Subject: Lobster - LFA 27 - dynamic closures

Hi

A decision is needed ASAP as to whether the dynamic closure protocol developed for the Gulf of St. Lawrence will apply to LFA 27. As instructed, I've pulled together a summary of the issue and a couple of options.

There are a couple of specific questions still for Marilyn, as well as an overriding question of whether we want to offer a recommendation. I don't have an opinion either way.

If it's decided that the protocol will apply, then we're going to need to pull together coordinates very quickly so that we're ready to implement if required.

Sara

Waters, Christa

From: Quigley, Sara
Sent: May-10-18 1:34 PM
To: Waters, Christa; Sweet, Marilyn; Penny, Lorne
Subject: RE: Lobster - LFA 27 - dynamic closures

Lorne has confirmed that lobster is the only fixed gear fishery with access to that area that's managed by Maritimes. Crab Area 19 and 4T halibut are managed by Gulf (or, at least, not by us).

Re Aboriginal groups – If we aren't consulting, then not sure there's a reason to contact them separately?

From: Waters, Christa
Sent: May-10-18 12:55 PM
To: Quigley, Sara; Sweet, Marilyn; Penny, Lorne
Subject: RE: Lobster - LFA 27 - dynamic closures

Hello folks,

I have spoken with Jacinta on this. She is under the impression that this will apply to the LFA 27 licence holders. We need to put together a little package for approval by MinO.

Marilyn – can you please draft a notice to fishers for approval (focus on Lobster for now)? Keep it simple and base it on the already approved ones.

Lorne – Can you tell Marilyn who that should go to? We may ask you to send through the AC list.

All – should the Aboriginal Groups get contacted in person? If yes, we will need to have some lines approved by MinO prior to contact.

Sara/Marilyn – your summary noted that there are other fisheries happening in the area that are Mar Region. Do we know what the Gulf is doing with those? Are they going to be closed too?

Marilyn (longer term) – If the dynamic closures apply to all fixed gear fisheries, please find out what other fisheries are happening in the area over the summer.

Please remember, this all has to be approved by MinO.

Is there anything I am forgetting?

Thanks,

Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches

From: Quigley, Sara
Sent: May-10-18 10:20 AM
To: Waters, Christa
Cc: Sweet, Marilyn; Penny, Lorne
Subject: FW: Lobster - LFA 27 - dynamic closures

Hi Christa - I've updated the document based on feedback from Marilyn, so the three documents are ready to go to Jacinta/Annette.

(Lorne – Marilyn says that consultations with stakeholders on the detail of the implementation of any protocol that may be developed for MAR waters is not the reason there's been no decision yet, so I've taken that statement out.)

Sara

From: Quigley, Sara
Sent: May-10-18 9:34 AM
To: Waters, Christa; Sweet, Marilyn
Cc: Penny, Lorne
Subject: Lobster - LFA 27 - dynamic closures

Hi

A decision is needed ASAP as to whether the dynamic closure protocol developed for the Gulf of St. Lawrence will apply to LFA 27. As instructed, I've pulled together a summary of the issue and a couple of options.

There are a couple of specific questions still for Marilyn, as well as an overriding question of whether we want to offer a recommendation. I don't have an opinion either way.

If it's decided that the protocol will apply, then we're going to need to pull together coordinates very quickly so that we're ready to implement if required.

Sara

Waters, Christa

From: Penny, Lorne
Sent: May-10-18 3:28 PM
To: Waters, Christa; Quigley, Sara; Sweet, Marilyn
Subject: RE: Lobster - LFA 27 - dynamic closures

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Important

Ok Christa. Sounds good. That being the case there shouldn't be much of an issue reaching the fishermen in the 3-4 LFA 27 ports affected by the closure protocol. Please let me know once all is prepped and I will ensure the message (Notice to Fish Harvesters) is distributed accordingly on Marilyn's behalf for Maritimes Region. Thank you
Lorne

From: Waters, Christa
Sent: May-10-18 3:20 PM
To: Penny, Lorne; Quigley, Sara; Sweet, Marilyn
Subject: RE: Lobster - LFA 27 - dynamic closures

Lorne,
Great question and I am glad you brought it up. It's the area identified that overlaps with LFA 27, not the whole LFA. Given the levels of approvals and the constant changing in direction, I suspect this will take a while for approvals, but let's start.
Thanks again,
Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

From: Penny, Lorne
Sent: May-10-18 2:27 PM
To: Waters, Christa; Quigley, Sara; Sweet, Marilyn
Subject: RE: Lobster - LFA 27 - dynamic closures

Hi Folks. Thank you for the update. I just wish to clarify if the Maritimes Region will be implementing a dynamic closure protocol for just the portion of LFA 27 which overlaps with the Gulf Region or, will the dynamic closure protocol apply to all of LFA 27 waters and/or all other Maritimes Region based LFA's? If the protocol will only apply to the overlap portion then distribution of the Notice to Fish Harvesters will be straight forward and involve contacting 3-4 fishing ports which should be relatively easy to accomplish. If the closure protocol will apply to all of LFA 27 then it is prudent to distribute the Notice to Fish Harvesters via the available licensing system information for each Harvester, since the LFA 27 Advisory Committee distribution list will not likely satisfy the desire to reach all LFA 27 licence holders (a few of the LFA27 posts do not currently have representation at the AC table). Thank you

Lorne

From: Waters, Christa
Sent: May-10-18 12:55 PM
To: Quigley, Sara; Sweet, Marilyn; Penny, Lorne
Subject: RE: Lobster - LFA 27 - dynamic closures

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Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

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Sara

Caines, Allison

From: King, Rhea L
Sent: Friday, May 11, 2018 3:49 PM
To: Daley, Annette
Cc: Dunn, Andy; Humphrey, Donald
Subject: FW: NARW BN - due today
Attachments: MAR - NARW _ Memo to the Minister_ 2018 _ V8.2_SARMD.docx

Importance: High

Hi Annette,

For your consideration.

Thanks,
Rhea

From: Merriman, Catherine B
Sent: Friday, May 11, 2018 3:37 PM
To: Humphrey, Donald <Donald.Humphrey@dfo-mpo.gc.ca>; Schaefer, Heidi <Heidi.Schaefer@dfo-mpo.gc.ca>
Cc: King, Rhea L <Rhea.King@dfo-mpo.gc.ca>
Subject: RE: NARW BN - due today
Importance: High

This is a BN that Heidi provided comments on an earlier version of, on 2 May.

Heidi's comments are incorporated, including moving a large section of descriptive text into the background section, [REDACTED]

I do have a few comments. As you can see in the attached, they are not substantive, but would provide clarification in a couple of areas. You may wish to decide whether or not to forward them.

Thanks
Cathy

s.21(1)(a)

s.21(1)(b)

From: Humphrey, Donald
Sent: May-11-18 12:07 PM
To: Merriman, Catherine B; Schaefer, Heidi
Cc: King, Rhea L
Subject: Fw: NARW BN - due today
Importance: High

I haven't reviewed but I believe Cathy and Heidi did. Cathy, Can you please respond to Rhea given the timeline?

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: King, Rhea L <Rhea.King@dfo-mpo.gc.ca>
Sent: Friday, May 11, 2018 11:15 AM
To: Humphrey, Donald
Subject: Fw: NARW BN - due today

Please confirm your input has been incorporated and if you have any other comments?

Rhea

From: Dunn, Andy <Andy.Dunn@dfo-mpo.gc.ca>
Sent: Friday, May 11, 2018 9:54 AM
To: King, Rhea L
Subject: FW: NARW BN

RM has asked that the attached BN be reviewed for approval today.

Thanks.

From: MacLellan, Elizabeth
Sent: Friday, May 11, 2018 9:53 AM
To: Dunn, Andy <Andy.Dunn@dfo-mpo.gc.ca>
Cc: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: RE: NARW BN

Hi Andy,

I have attached the briefing note. It has been reviewed by SARMD staff.

Liz

From: Dunn, Andy
Sent: May-11-18 9:46 AM
To: MacLellan, Elizabeth
Cc: Daley, Annette
Subject: RE: NARW BN

Our entire management team is at an offsite work planning meeting. Is there an electronic copy that can be sent?

From: MacLellan, Elizabeth
Sent: Friday, May 11, 2018 9:44 AM
To: Dunn, Andy <Andy.Dunn@dfo-mpo.gc.ca>
Cc: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: NARW BN

Hi Andy,

Annette has requested that you have Rhea's actor review the BN I just brought down or have Rhea review it electronically, as it has to move today.

Thanks.

Liz

No information has been removed or severed from this page



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Deputy Minister

Sous-ministre

UNCLASSIFIED
2018-201-00026

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE
MANAGEMENT MEASURES FOR MARITIMES REGION IN 2018**

For Decision

SUMMARY

This note is seeking your decision on options to use dynamic closures if required to reduce the risk of endangered North Atlantic Right Whale (NARW) interactions with fixed-gear fisheries in the Maritimes Region for the 2018 fishing season.

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia and in 2009, the Species at Risk *Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat.

Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individual whales predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs off Nova Scotia.



s.21(1)(a)

BACKGROUND

The North Atlantic Right Whale (NARW) was listed as endangered under the *Species at Risk Act* (SARA) in 2005. [The most recent population estimate is for 2015 and was 458 animals (95% confidence interval (CI): 444-471 animals), of which only 186 (95% CI: 174-195) were females of reproductive age. Only 5 calves were documented in 2017 and no calves have been observed to date in 2018. There is evidence indicating that the population has been in decline since 2010.

Commented [CBM1]: Suggest this because otherwise someone may wonder why using what looks like old data

Canada

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-2-

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia. The SARA *Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat in 2009. While there appears to be a shift in distribution of NARW, the whales still occur in their identified critical habitat in the Maritimes Region. More than thirty years of NARW research data support that these two high-use habitats function as adult foraging and feeding grounds, calf nursing and rearing grounds, and resting and socializing areas for the population.

Since 2010 there have generally been fewer observations of NARW in Nova Scotia waters as compared to previous years (with the exception of 2016). In 2015 and 2017, more NARW sightings were reported in the Gulf of St. Lawrence than have previously been documented, though more search effort also occurred in the area during these years. In 2017, an unprecedented 12 NARW were found dead in the Gulf of St. Lawrence, with an additional five live-entangled individuals documented in the same area. Since June 7, 2017, a total of 18 NARW have been discovered dead in Canadian and US waters, resulting in an unusual mortality event being declared by the US, which remains in effect.

SARA includes prohibitions that protect both the listed species and its identified critical habitat. SARA Section 32 prohibits the harm, harassment, capture and killing of individuals of a listed species wherever they are found. Section 32 has been in force for the NARW since it was listed in 2005. The destruction of Critical Habitat is also prohibited under Section 58 of SARA. Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individual right whales predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs.

Commented [CBM2]: I think this means whales? As written, it could be interpreted by some to mean fishermen / vessels.

In 2017, DFO carried out a science-based "Review of the Effectiveness of Recovery Activities for the North Atlantic Right Whales" as part of the Oceans Protection Plan. This review noted that "[r]educing the spatiotemporal co-occurrence of North Atlantic Right Whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled." It specifically identified removing gear from identified critical habitat and from other high-use areas by implementing spatiotemporal closures to fishing activities when NARW are present as one of the most effective activities to reduce the threat of fishing-gear entanglement.

Commented [CBM3]: 'identified' twice; could remove the second one

Supporting This recommendation reflects two Canadian studies that identified spatiotemporal closures to fisheries as an efficient measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017, attached in TAB 3 and TAB 4). Vanderlaan et al. (2011) examined the risk of lethal interactions with NARW and different fishing gear types in Canada by examining the overlap of fishing activity with whale presence. Higher risk fisheries occurred in Critical Habitat, with groundfish bottom longline posing the greatest risk of entanglement in Critical Habitat during the summer residency period and the lobster fishery posing the greatest

Commented [CBM4]: As written, it sounded like the studies came after the DFO report

.../3

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risk during migratory periods in spring and fall. Brillant et al. (2017) show that about a third of the annual risk of entanglement for NARW in Canadian waters occurs in their identified Critical

-3-

Habitat and suggest that the most effective and efficient action to reduce this risk is to seasonally restrict fishing in Grand Manan and Roseway Basins to periods when NARW are not present.

The use of fixed fishing gear in Canada and the US is often identified as posing a high risk of entanglement or entrapment for NARW (Vanderlaan et al. 2011). It is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW, though there is little understanding of exactly how entanglements occur and little evidence to support which gear modifications would reduce the risk of entanglement. Many of the recommendations from the scientific community have thus focused on spatio-temporal avoidance as the most effective means of reducing the risk of entanglement. The gaps in our knowledge of how entanglements occur coupled with uncertainty in NARW distribution highlight the need for implementing a precautionary approach to managing potential NARW and fisheries interactions.

STRATEGIC CONSIDERATIONS

The Gulf and Quebec Regions announced several measures for the 2018 fishing season as a means to reduce NARW interactions with fishing gear. A static closure to fishing activity began April 28th, 2018, in the area where 90 % of the 2017 sightings of NARW in Canadian waters occurred. These measures are outlined in the protocol for dynamic and static closures for the Gulf Region included in TAB 2.

Based on discussions at dedicated industry engagement sessions and Advisory Committee meetings in advance of season openings, a number of management measures have been implemented for the 2018 season in the Maritimes Region (TAB 5). These measures include the requirement to report interactions with all marine mammals and the mandatory reporting of lost gear in all fisheries, as part of a national requirement for all fisheries. Additional measures for Crab Fishing Areas 20-24 include a maximum length of 9.1 meters of rope between the primary and secondary buoy and a requirement to reduce / eliminate floating rope on the surface. Additional measures developed in consultation with industry members for Lobster Fishing Areas 27-32 include a maximum length of 6.6 meters of rope between the primary and secondary buoy and an encouragement to reduce the amount of floating rope on the surface. The matter of reducing the risk to NARW and options for possible closures has been discussed with various fisheries for several years in the region.

The Maritimes Region is seeking guidance on appropriate management measures to further reduce possible interactions of NARW with fishing gear. As measures have been announced for areas in the Gulf of St. Lawrence (Gulf Region and Quebec Region), the Maritimes Region is seeking to communicate and clarify decisions related to overarching mitigation measures for the Scotian Shelf Bioregion, in particular for areas where historically NARW were frequently observed and can reasonably be expected to occur in 2018.

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Departmental staff have prioritized potential solutions by their likelihood of preventing entanglements. Prevention of entanglements (e.g. earlier or delayed seasons, rope reduction)

-4-

should be given the highest priority, followed by mitigation (e.g. changes to gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly. Therefore the focus is on preventing interactions from occurring by reducing the spatial overlap of fishing activity when NARW are present.

Conservation and Protection (C&P) and Ecosystems and Science sector have collaborated on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW sightings are confirmed in the Maritimes Region. Recommendations regarding tasking for aerial surveillance by the C&P Branch will be discussed as part of established procedures.

s.21(1)(b)

The Maritimes Region is proposing similar dynamic closure measures as those which were approved for the Gulf of St. Lawrence, with a focus being placed on identified Critical Habitat in the Scotian Shelf Bioregion as established high-use areas for NARW in the Recovery Strategy. Depending on what fisheries are active at the time, the implementation of a dynamic closure will likely have an impact on fisheries.

SCIENCE ADVICE

The dynamic closures proposed in this note to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches that have been used in other jurisdictions (e.g., US). Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. Monitoring and reporting will be required to assess the effectiveness of these measures over time.

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops. There have not been any dedicated Indigenous-only sessions.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations. The possibility of dynamic closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised at Advisory Committee meetings since November 2017, as outlined in TAB 5, as well as

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having been discussed for several years with fisheries identified as higher risk in the region. Specific details of how the closures would occur and areas being considered for dynamic closure were not discussed in detail at the meetings as these were occurring concurrent to the

-5-

development of a national direction on static and dynamic closures. Records of discussion relating to possible closure options from engagement sessions and workshops are attached in TAB 5. Subject to your approval, follow-up industry engagement sessions regarding dynamic closure measures specific to Critical Habitat will be held: industry representatives from these areas have already contacted the Department seeking further discussion on overarching measures.

ADVICE AND RECOMMENDATIONS

It is recommended that you approve one of the options below to guide responses to confirmed sightings of North Atlantic Right Whales in active fishing areas within the Maritimes Region.

NEXT STEPS

Industry engagement sessions will include updates on occurrences of NARW in the region and further discussion on potential management measures to mitigate the risk of interactions with fishing gear. As appropriate, a 'Notice to Fish Harvesters' will be generated to communicate additional measures to Maritimes Region fish harvesters.

Catherine Blewett
Deputy Minister

s.21(1)(a)

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Dominic LeBlanc
Minister

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Minister's Comments:

Attachment(s): (5)

- 1) Maritimes Region North Atlantic Right Whales Response Protocol
- 2) Static and Dynamic Management Measures - Gulf Region 2018
- 3) Fishing-gear threat to right whales (*Eubalaena glacialis*) in Canadian waters and the risk of lethal entanglement (Angelia S.M. Vanderlaan, R. Kent Smedbol, and Christopher T. Taggart) (<http://www.nrcresearchpress.com/doi/pdf/10.1139/f2011-124>)
- 4) A timely opportunity to protect North Atlantic right whales in Canada (Sean W. Brilliant, Tonya Wimmer, Robert W. Rangeley, Christopher T. Taggart) (<http://www.phys.ocean.dal.ca/~taggart/Publications/Brillant%20etal2017MarPol.pdf>)
- 5) Maritimes Region Fishing Industry Engagement - NARW -Summary Information 2017-18

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Fisheries and Oceans Canada
Correspondence Routing Slip

Fiche d'acheminement de correspondance
Pêches et Océans Canada

UNCLASSIFIED
GCCMS #: 2018-201-00026
EKME #: #####

To: Catherine Blewett
Pour:

Date:

Object:
Objet:

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE
MANAGEMENT MEASURES FOR MARITIMES REGION -2018**

From / Annette Daley, A/Regional Director, Fisheries Management, Maritimes Region
De:

Via: Mary-Ellen Valkenier, Regional Director General, Maritimes Region

Additional approvals:

Autre(s) approbation(s): Sylvie Lapointe, Assistant Deputy Minister, Fisheries and Harbour Management



Material for the Minister
Documents pour le Ministre



Your Signature
Votre signature



Information

Screen:
Filtre:

- The Department has assessed this issue in full.
- ☒ It contains no reference to matters covered by the screen relating to J.D. Irving Limited.
 - ☐ It contains matters referenced in the screen relating to J.D. Irving Limited, but in our view does not engage the screen.
 - ☐ In our view, the screen relating to J.D. Irving Limited should be engaged.

Remarks: This briefing note was developed in consultation with the following
Remarques: regions/sectors:

Distribution:

Marilyn Sweet, Regional Senior FM Officer (902)221-7269/MEValkenier/pd

Formatted: English (United States)



UNCLASSIFIED
2018-201-00026

MEMORANDUM FOR THE MINISTER

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MANAGEMENT MEASURES FOR MARITIMES REGION IN 2018**

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s.21(1)(a)

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-2-

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Since 2010 there have generally been fewer observations of NARW in Nova Scotia waters as compared to previous years (with the exception of 2016). In 2015 and 2017, more NARW sightings were reported in the Gulf of St. Lawrence than have previously been documented, though more search effort also occurred in the area during these years. In 2017, an unprecedented 12 NARW were found dead in the Gulf of St. Lawrence, with an additional five live-entangled individuals documented in the same area. Since June 7, 2017, a total of 18 NARW have been discovered dead in Canadian and US waters, resulting in an unusual mortality event being declared by the US, which remains in effect.

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Supporting this recommendation, two Canadian studies identified spatiotemporal closures to fisheries as an efficient measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017, attached in TAB 3 and TAB 4). Vanderlaan et al. (2011) examined the risk of lethal interactions with NARW and different fishing gear types in Canada by examining the overlap of fishing activity with whale presence. Higher risk fisheries occurred in Critical Habitat, with groundfish bottom longline posing the greatest risk of entanglement in Critical Habitat during the summer residency period and the lobster fishery posing the greatest risk during migratory periods in spring and fall. Brillant et al. (2017) show that about a third of the annual risk of entanglement for NARW in Canadian waters occurs in their identified Critical

.../3

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STRATEGIC CONSIDERATIONS

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Departmental staff have prioritized potential solutions by their likelihood of preventing entanglements. Prevention of entanglements (e.g. earlier or delayed seasons, rope reduction)

-4-

s.21(1)(b)

should be given the highest priority, followed by mitigation (e.g. changes to gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly. Therefore the focus is on preventing interactions from occurring by reducing the spatial overlap of fishing activity when NARW are present.

Conservation and Protection (C&P) and Ecosystems and Science sector have collaborated on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW sightings are confirmed in the Maritimes Region. Recommendations regarding tasking for aerial surveillance by the C&P Branch will be discussed as part of established procedures.

The Maritimes Region is proposing similar dynamic closure measures as those which were approved for the Gulf of St. Lawrence, with a focus being placed on identified Critical Habitat in the Scotian Shelf Bioregion as established high-use areas for NARW in the Recovery Strategy. Depending on what fisheries are active at the time, the implementation of a dynamic closure will likely have an impact on fisheries.

SCIENCE ADVICE

The dynamic closures proposed in this note to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches that have been used in other jurisdictions (e.g., US). Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. Monitoring and reporting will be required to assess the effectiveness of these measures over time.

INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops. There have not been any dedicated Indigenous-only sessions.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations. The possibility of dynamic closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised at Advisory Committee meetings since November 2017, as outlined in TAB 5, as well as having been discussed for several years with fisheries identified as higher risk in the region. Specific details of how the closures would occur and areas being considered for dynamic closure were not discussed in detail at the meetings as these were occurring concurrent to the

.../5

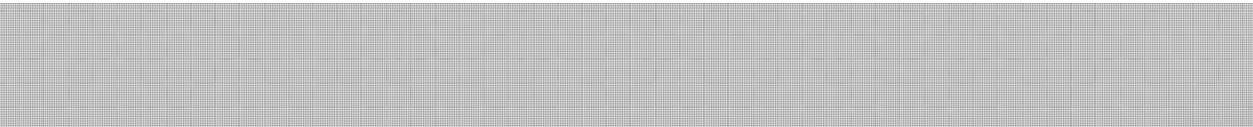
-5-

s.21(1)(a)

development of a national direction on static and dynamic closures. Records of discussion relating to possible closure options from engagement sessions and workshops are attached in TAB 5. Subject to your approval, follow-up industry engagement sessions regarding dynamic closure measures specific to Critical Habitat will be held: industry representatives from these areas have already contacted the Department seeking further discussion on overarching measures.

ADVICE AND RECOMMENDATIONS

It is recommended that you approve one of the options below to guide responses to confirmed sightings of North Atlantic Right Whales in active fishing areas within the Maritimes Region.



NEXT STEPS

Industry engagement sessions will include updates on occurrences of NARW in the region and further discussion on potential management measures to mitigate the risk of interactions with fishing gear. As appropriate, a 'Notice to Fish Harvesters' will be generated to communicate additional measures to Maritimes Region fish harvesters.

Catherine Blewett
Deputy Minister



Dominic LeBlanc
Minister

.../6

Minister's Comments:

Attachment(s): (5)

- 1) Maritimes Region North Atlantic Right Whales Response Protocol
- 2) Static and Dynamic Management Measures - Gulf Region 2018
- 3) Fishing-gear threat to right whales (*Eubalaena glacialis*) in Canadian waters and the risk of lethal entanglement (Angelia S.M. Vanderlaan, R. Kent Smedbol, and Christopher T. Taggart) (<http://www.nrcresearchpress.com/doi/pdf/10.1139/f2011-124>)
- 4) A timely opportunity to protect North Atlantic right whales in Canada (Sean W. Brilliant, Tonya Wimmer, Robert W. Rangeley, Christopher T. Taggart) (<http://www.phys.ocean.dal.ca/~taggart/Publications/Brilliant%20etal2017MarPol.pdf>)
- 5) Maritimes Region Fishing Industry Engagement - NARW -Summary Information 2017-18



UNCLASSIFIED
GCCMS #: 2018-201-00026
EKME #: #####

To:
Pour: Catherine Blewett

Date:

Object:
Objet:

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE
MANAGEMENT MEASURES FOR MARITIMES REGION -2018**

From /
De: Annette Daley, A/Regional Director, Fisheries Management, Maritimes Region

Via: Mary-Ellen Valkenier, Regional Director General, Maritimes Region

Additional approvals:

Autre(s) approbation(s): Sylvie Lapointe, Assistant Deputy Minister, Fisheries and Harbour Management

<input checked="" type="checkbox"/> Material for the Minister Documents pour le Ministre	<input checked="" type="checkbox"/> Your Signature Votre signature	<input type="checkbox"/> Information
---	---	--------------------------------------

Screen: The Department has assessed this issue in full.
Filtre: ☒ It contains no reference to matters covered by the screen relating to J.D. Irving Limited.
☐ It contains matters referenced in the screen relating to J.D. Irving Limited, but in our view does not engage the screen.
☐ In our view, the screen relating to J.D. Irving Limited should be engaged.

Remarks: This briefing note was developed in consultation with the following
Remarques: regions/sectors:

Distribution:

Marilyn Sweet, Regional Senior FM Officer (902)221-7269/MEValkenier/pd

MacLellan, Elizabeth

From: Daley, Annette
Sent: May-22-18 9:32 AM
To: Lemire, Maryse; Quinn, Frank; Lambert, Robert
Subject: FYI only: (For Approval) 2018-201-00026 - North Atlantic Right Whale Dynamic Closure Management Measures for Maritimes Region 2018
Attachments: 2018-201-00026 - TAB 1.pdf; 2018-201-00026 - TAB 2.pdf; 2018-201-00026 - TAB 3.pdf; 2018-201-00026 - TAB 4.pdf; 2018-201-00026 - TAB 5.pdf; 2018-201-00026 - MAR - NARW Memo to the Minister (v2).docx; 2018-201-00026 - Memo for the Minister North Atlantic Right Whales Dynamic Closure Management Measures for MAR 2018.pdf

There was a briefing on this proposed dynamic management for the NARW Critical Habitat area on Friday afternoon, documents attached. There had been some discussions related to the potential for closing these areas during our Jan. to Mar. consultations with industry, but there are concerns that industry would not likely support a 15 day automatic closure if a whale was sighted in an 'area subject to dynamic closures', given their experience co-existing with these whales for decades in some cases. In Grand Manan, they have a mitigation strategy for NARWs that has been in place since 2012.

The direction we were given was to use this meeting, and reach to industry as soon as we can via similar processes, as a follow-up to previous engagement sessions, to solicit feedback on the option of treating Critical Habitat areas as 'dynamic management areas' subject to pre-defined management measures if / when whales are sighted, based on established criteria and to consider alternative management options industry groups may have.

FYI only

Annette

From: Curlett, Karen A
Sent: Tuesday, May 15, 2018 3:04 PM
To: Kaleta, Michelle <Michelle.Kaleta@dfo-mpo.gc.ca>
Cc: Lewis, Valerie <Valerie.Lewis@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: (For Approval) 2018-201-00026 - North Atlantic Right Whale Dynamic Closure Management Measures for Maritimes Region 2018

Hello Michelle. Please see attached docket 2018-201-00026 North Atlantic Right Whale Dynamic Closure Management Measures for Maritimes Region 2018 for ADM FHM additional approval.

Please let me know if there are any edits to be made.

BF May 23.

Thank you

Karen

Karen A. Curlett

Regional Director General's Office | Bureau du Directeur général régional
A/Office Manager | Gestionnaire de bureau p.i.
Fisheries and Oceans Canada | Pêches et océans Canada
Maritimes Region | Région des Maritimes

1 Challenger Drive, P.O. Box 1006, Dartmouth, NS B2Y 4A2 | 1, rue Challenger, CP 1006
Dartmouth, Nouvelle-Écosse B2Y 4A2
Karen.Curlett@dfo-mpo.gc.ca
Telephone | Téléphone: (902) 426-4423
Fax | Télécopieur: (902) 426-5034

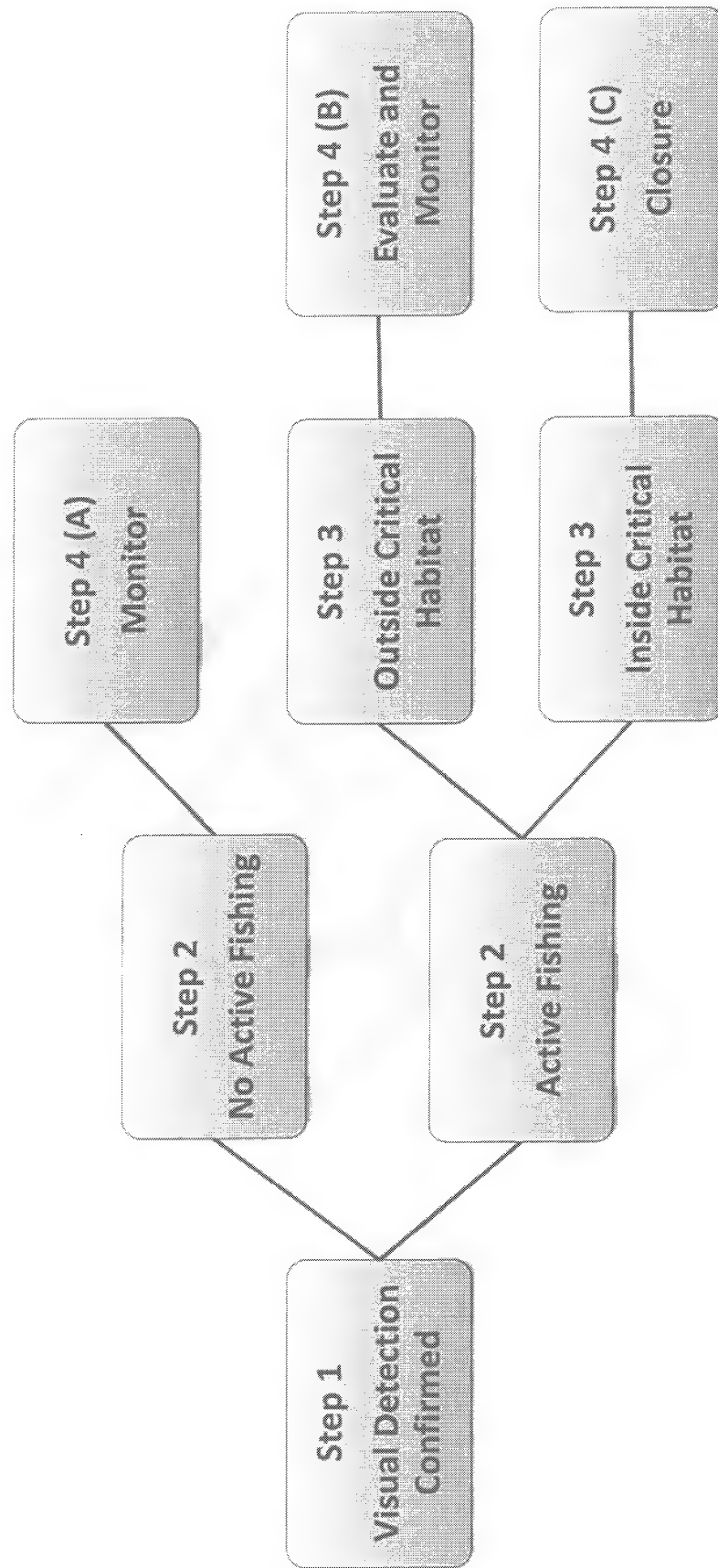
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Maritimes Region Draft Response Protocol: Confirmed Detection of North Atlantic Right Whales

May 3, 2018

Figure 1

Decision Tree



North Atlantic Right Whale: Maritime Region Response

This protocol describes the Maritime Region response to a confirmed sighting of a North Atlantic Right Whale (NARW). The decision tree provided in Figure 1 depicts the course of action to be taken by DFO's Resource Management (RM) Branch. Where a sighting is confirmed, relevant information is shared via email or phone with the Marine Mammal Coordinator for the Maritimes: Marilyn.Sweet@dfo-mpo.gc.ca - (902) 221-7269. (*update with MM phone number when BB received)

Step 1. Confirmation of Reported Sighting

DFO's Science Branch reviews reported NARW sightings. Reports are forwarded from multiple entities and need to be vetted. Where a sighting is confirmed, relevant information is shared with the Marine Mammal Coordinator via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is also responsible for consulting the website for updates on a daily basis. (*remove above paragraph when WhaleMap activated)

Where a sighting is confirmed, relevant information is shared via the WhaleMap website being administered by Dalhousie University. The Marine Mammal Coordinator is responsible for consulting the website for updates on a daily basis. (*change this for when WhaleMap is up and running to simply be presence is confirmed via WhaleMap)

Step 2. Determine if the Whale is in an Active Fishing Area

Resource Management will determine whether the confirmed sightings are in an active fishing area. Refer to the chart on Maritimes Region Fisheries Times for this step (*Appendix A*). If the whale is considered to be in an active fishing area, proceed to Step 3. If whales are not in active fishing area, proceed to Step 4.

Step 3. Determine if the Whale is in a Critical Habitat

Resource Management will determine whether the confirmed sighting is in a Critical Habitat. Refer to the map depicting North Atlantic Right Whale Critical Habitats (*Appendix B*).

If the whale(s) is determined to be outside a Critical Habitat and outside an active fishing area, the response will be to monitor the situation – **Step 4 (A): Monitor**

If the whale(s) is determined to be outside a Critical Habitat and inside an active fishing area, the response will be to monitor and evaluate the situation on the advice of the NARW Working Group, led by National Headquarters – **Step 4 (B): Monitor and Evaluate**

If the whale(s) is determined to be inside a Critical Habitat, proceed to **Step 4 (C): Closure**

Step 4: Response Options

A) MONITOR

When a whale or whales are confirmed outside of active fishing areas, the Marine Mammal Coordinator will monitor the situation and advise colleagues in the Maritimes (via the Distribution List- *Appendix C*)

and counterparts in other Atlantic Regions and National Headquarters of relevant information as the situation evolves (contact information in Information Flow Document- *Appendix E*).

B) EVALUATE AND MONITOR

When NARW are confirmed in active fishing areas outside of Critical Habitat

Resource Management- Marine Mammal Advisor/Response Coordinator

- Consult fisheries opening list (*Appendix A*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- Inform counterparts in other Atlantic Regions and NHQ of the situation and actions to be taken (contact information in Information Flow Document- *Appendix E*).
- Relay following information to Distribution List (*Appendix C*).
 - Required action to be taken
 - Coordinates of the whale(s)
 - Map of the sightings
 - Time and date of the sightings reported
 - Number of whales confirmed
 - Any other relevant/important information
- Call a meeting of the *Distribution List (Appendix C)*:

Meeting intent:

 - Review *Whalemap* and confirmed sightings and overlay with active fishing in Maritimes.
 - Provide recommendations for:
 - i. Discussions on a surveillance plan.
 - ii. Determine if there are upcoming fisheries that may be of concern (based on area proximity to Critical Habitats, number of possible active licences, and other considerations).
 - iii. Determine the required frequency of calls for the situation.
 - iv. Determine what upcoming fisheries will be impacted by closure and may require delayed opening (proactively draft Notice to Fishers).
 - v. Discuss drafting of Variation Order for Dynamic Closure. The orders are drafted proactively in the event that a closure is required. Not to be distributed at this step. (Regional Director General approval required- Not at this step)

- Notice to Fishers is updated with details of pertinent information (*Appendix F*). Notice to Fishers issued states that: a NARW has been detected, the Department is monitoring and conducting surveillance; and requests harvesters to report sightings of NARW).
- Daily Updates: Resource Management to organize a daily call with the Distribution List and invited experts will be required to update on:
 - Subsequent sightings of the same whale (if identified).
 - Additional confirmed sightings of other NARW.
 - Surveillance measures required.
- Resource Management to sit on daily call of NARW Working Group (organized by National Headquarters).

Conservation and Protection

- Action Notice to Fishers of sighting information via Marine Broadcast. Notice is to be repeated for a 72 hour period.

Communications

- Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

C) OPTION DYNAMIC AREA CLOSURE

When a single NARW is confirmed in a known Critical Habitat (*Appendix B*) and within an active fishing area (*Appendix A*), fisheries will be **closed and planned openings will be delayed**. A Dynamic Closure will be implemented via a pre-determined grid system (*Appendix D*) covering a 3 x 3 (9 in total) grid with each grid representing 10 x 10 minutes. The closure will remain in effect for a 15-day period after which time it will expire unless there are additional confirmed sightings. The closure will be applied to all fixed-gear fisheries, including tended gear. Details of the closure ending are outlined below.

The steps outlined above in **Step 4 (B) Monitor and Evaluate** are to be followed, in addition to:

Resource Management- Marine Mammal Advisor/Response Coordinator will:

- During initial call of the Distribution List (*Appendix D*) include the following steps:
 - Recommendations for:
 - i. A detailed list of fisheries affected by closure
 - ii. Defining the closed area on a grid map (10x10 min grid) (*Appendix D*)
 - iii. Updating a Notice to Fishers with details of pertinent information (*Appendix F*).

Fishers will be provided with 72 hours of notice to retrieve their gear once the Notice to Fishers has been distributed. (Unfavourable weather conditions will be considered and the Notice to Fishers will be worded accordingly).

- Notice to Fishers and Variation Order is updated with details of closure (*Appendix F*) stating: a NARW has been detected in Critical Habitat, the Department is taking action to close fisheries, and requests harvesters to report additional sightings of NARW).

Following the Notice to Fishers being distributed, a daily call with the Distribution List (*Appendix C*) and invited experts will be required to update on:

- Subsequent sightings of the same whale (if identified)- consult *Whalemap*
 - Additional confirmed sightings of other NARW
 - Confirm compliance with Dynamic Closure and concerns from Conservation and Protection
- Resource Management to sit on daily call of NARW Working Group (organized by National Headquarters).

Conservation and Protection

- Action Notice to Fisheries via the Marine Broadcast. Notice will be repeated for a 15-day period.
- Seek approval of Variation order from Regional Director General and action via the Marine Broadcast. Notice will be repeated for a 15-day period.
 - If there are no confirmed sightings during the 15-day period, the fisheries can reopen. If there are confirmed sightings, the variation order will be extended for an additional 15 days from last confirmed sighting.

Communications

- Prepared communications materials are distributed and media contacts are notified upon approval and as the variation order is published.

Details of the Closure Period

The closure will remain in effect for 15 days. The dynamic closure can be extended following the 15-day period if there are additional confirmed sightings. These will be discussed on the daily calls on a case by case basis.

Appendix A: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round					Yes
4WX5z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4Vn	Atlantic halibut	Longline		Year-round	now				No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	April 30	June 30				No
LFA 29	Lobster	Traps/pots	63 licences	April 30	June 30				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No
LFA 33	Lobster	Traps/pots	695 licences	Nov 26	May 31				No
LFA 34	Lobster	Traps/pots	979 licences	Nov 26	May 31				No
LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31				No
LFA 36	Lobster	Traps/pots	177 licences	Nov 13	July 9				No
LFA 38	Lobster	Traps/pots	136 licences	Nov 13	Jun 29				No
Grey Zone	Lobster	Traps/pots		Jun 30	Nov 09				Yes
LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31				Yes
	Hagfish	Traps/pots		Apr 12	Oct 01				Yes
	Herring	Gillnet		Year round but active Summer/Fall					No
	Whelk/inshore	Traps		Late Summer/Fall					No
	Whelk/offshore	Traps	700 traps	Late Summer/Fall					No
	Large Pelagics	Longline	Approx 45 active licences	Year round but active May-Nov					Yes
	Mackerel	Gillnet		Apr 01	Dec 01				No
CB Area	Mackerel	Trapnet		Early Summer- November					No
CB Area	Herring	Trapnet		Early Summer- November					No
CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 14 - May 13 & July 21-					No

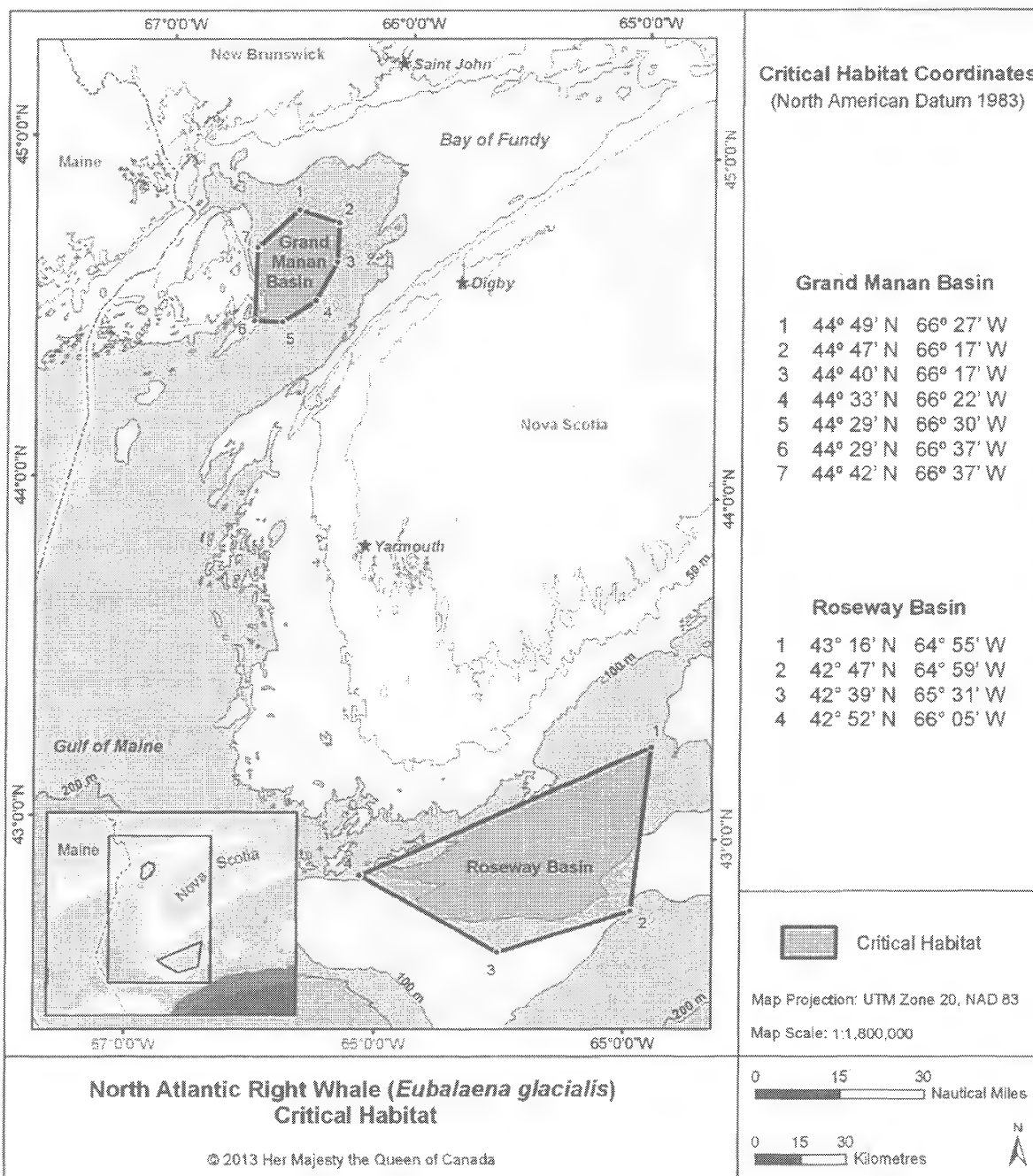
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NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
				Aug 18					
CFA 23	Snow crab	Traps/pots	62 licences	Apr 01	Aug 31				Yes
CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31				Yes
CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31				Yes
LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17				
LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10				
LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31				
LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31				No
LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31				
LFA 29,31a,31b,32	Rock Crab	Traps	12 licences	Aug 07	Dec 31				
LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22				
LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07				
LFA 36	Rock Crab	Traps	5 licences	Mar 01	Dec 31				No
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Jan 01	Dec 31				Yes

Green = updated

Blue = active fishery, may require coverage

Appendix B: North Atlantic Right Whale Critical Habitat

(From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters)

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Appendix C: Distribution List

Resource Management	Marilyn Sweet	(902) 221-7269	Marilyn.Sweet@dfo-mpo.gc.ca
	Jacinta Berthier	(902) 240-3967	Jacinta.Berthier@dfo-mpo.gc.ca
Conservation and Protection	Mike Grace	(902) 499-1702	Michael.Grace@dfo-mpo.gc.ca
	Corey Webster	(902) 407-7071	Corey.Webster@dfo-mpo.gc.ca
	Brad Pye	(902) 499-0923	Brad.Pye@dfo-mpo.gc.ca
Communications	Jazmine Hayden	(902) 221-5613	Jazmine.Hayden@dfo-mpo.gc.ca
	Debra Matheson-Buott	(902) 426-6019	Debra.Buott-Matheson@dfo-mpo.gc.ca
Science	Hilary Moors-Murphy	(902) 426-8810	Hilary.Moors-Murphy@dfo-mpo.gc.ca
	Sherry Niven	(902) 225-6005	Sherry.Niven@dfo-mpo.gc.ca
	Simon Higginson	(902) 580-7425	Simon.Higginson@dfo-mpo.gc.ca
Species at Risk Management Division	Cathy Merriman	(902) 401-8437	Catherine.Merriman@dfo-mpo.gc.ca
	Heidi Schaefer		
Oceans	Scott Coffen-Smout	(902) 426-2009	Scott.Coffen-Smout@dfo-mpo.gc.ca
	Alternate?		

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Important numbers (not part of the Distribution List)

CWRT: 1-506-752-1985/ 1-508-237-3852

MARS: 1-866-567-6277

CCG 24-hour emergency number: (1-800-565-1633) can press 6 to get re-directed to C&P's radio operations. They will then contact the relevant detachment.

To report sightings of live and healthy animals:

- **Marine Mammals and Whales**
XMARWhaleSightings@dfo-mpo.gc.ca
1-844-800-8568
[Whale Alert mobile application](#)
- **Sea Turtles**
Canadian Sea Turtle Network
info@seaturtle.ca
1-888-729-4667

To report dead and distressed marine animals:

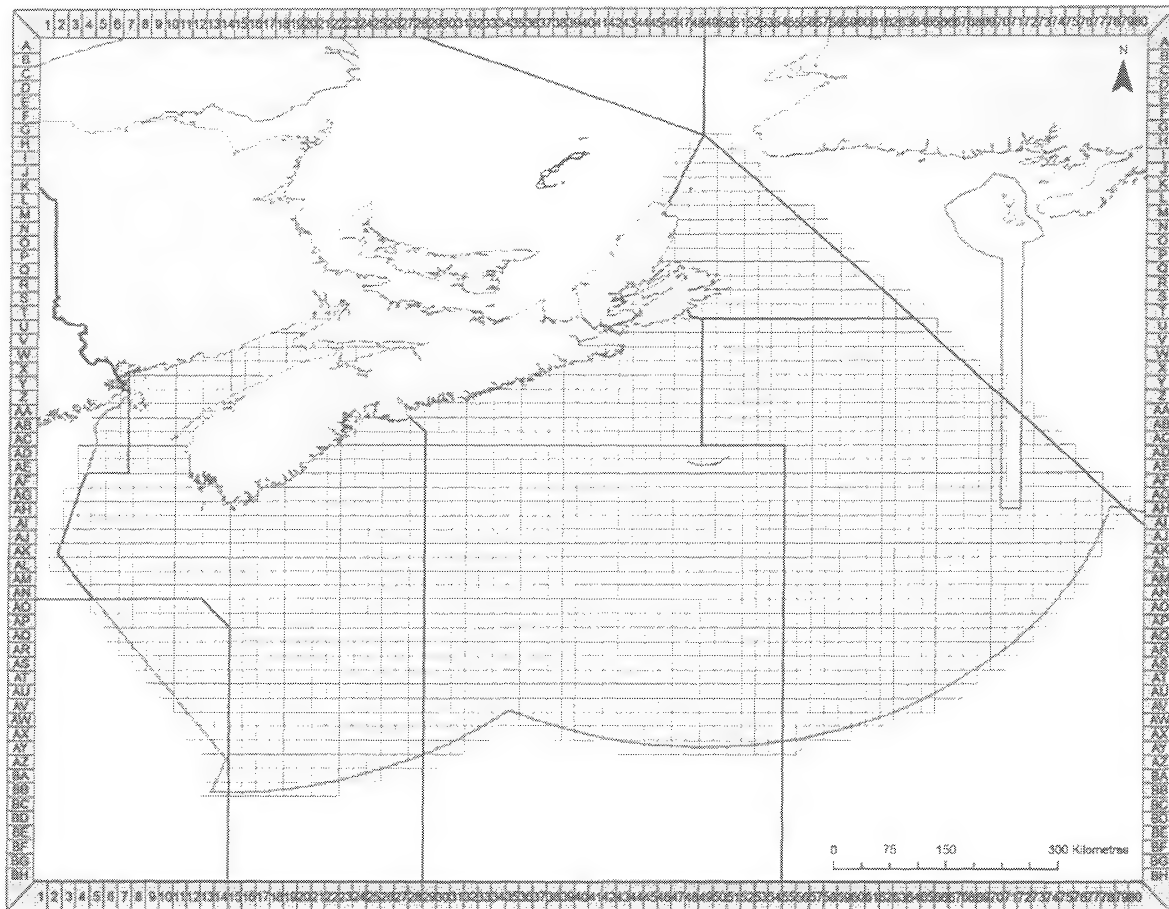
- **Marine Animal Response Society**
marineanimalresponse@gmail.com
1-866-567-6277
VHF Channel 16

To report potential violations:

- Crime Stoppers 1-800-222-TIPS (8477)
- DFO (via Canadian Coast Guard Regional Operations Centre) 1-800-565-1633

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Appendix D: Maritimes Region in 10x10 minute grid



Appendix E: 2018 Information Flow Protocols for Fisheries Management Measures (National Protocol)

1) Confirmed live NARW Sightings by Trained Personnel

- a) If a live NARW is observed in the area of NAFO division 4T subject to "temporary closure" measures:
 - i) Personnel on the aircraft (or vessel) notifies the TC Situation Centre
 - ii) TC Situation Centre sends location of sighting, plotted on a map that contains the established grid quadrants, to the NARW Urgent Distribution List (see Annex 1)
 - iii) The Gulf FAM on-duty initiates the Variation Order process to close fixed gear fisheries in a 3 x 3 quadrant area around the quadrant containing the NARW
 - iv) NHQ will brief up on the situation to senior management
- b) All confirmed NARW sightings reported through the science established process to the Maritimes science group:
 - i) A daily sightings map containing the location of the NARW sighted the previous day will be prepared by DFO science and transmitted mid-morning to recipients via the Whales Alert Email Distribution List (see Annex 1)
 - ii) Following receipt of the science information, a daily weekday conference call of a NARW Working Group (NARW WG) (representatives from FAM/Science/SARA with NHQ/FRM as secretariat) will be convened to review map and determine if there is any activity that warrants engagement of more senior management (DG/RDs) (WG membership – see Annex 2)
 - iii) The relevant RD is advised of any presence or activity of NARW that requires further discussion or examination
 - (1) The RD sends notification via the Whales Alert Email Distribution List (*Annex 1*)
 - (2) A teleconference is convened with Atlantic RDs and DG FRM (NHQ/FRM is secretariat)
 - (3) A review of the situation is undertaken and a decision on action (if any) taken.
 - (4) Appropriate action initiated (and update provided to Whales Alert Email)

2) Incident involving *LARGE WHALE (alive or dead) – (*bigger than a minke)

- a) Whether report is from DFO personnel, call to DFO or call to Third Party 1-800, first point of contact is MM Coordinator (or designate – regions to specify contact number) in relevant region
- b) MM Coordinator notifies via the Whales Alert Email Distribution List (see Annex 1) of the report.
- c) MM Coordinator works with the relevant response network, C&P, Science, SAR, Communications, CCG etc and initiates the appropriate response
 - i) For entanglements, entanglement response protocol to be followed
 - ii) NOTE: If an entanglement is spotted from an aircraft the personnel can call the TC Situation Center to report and they can forward via the Whales Alert Email Distribution List
- d) Subsequent situational updates via the Whales Alert email (*Annex 1*) at discretion of the relevant RD

3) Incident involving smaller whales or OTHER MARINE MAMMAL (alive or dead)

- a) MM Coordinator is the focal point for response
- b) If likely to be high profile / receive media attention, MM coordinator notifies Whales Alert Email (*Annex 1*)

DRAFT

- c) If lower profile, notify only RD as per regional protocol
- d) MM coordinator initiates the appropriate response
- e) Subsequent Updates to Whales Alert Email at discretion of relevant RD

Third Party External Communications:

Third Party response network groups and any external person aboard a surveillance flight will be asked to obtain a "green light" from DFO/NHQ before any external communications related to whale sightings or incidents (unless there are other pre-approved arrangements in place — e.g. notification of mariners in the area for safety reasons)

Annex 1 – Email Distribution Lists

1) NARW Urgent Distribution List (from TC)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry

NHQ C&P: Darren Goetze, Judy Dwyer

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

RD FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert

DFO Comms: Ashley Jackson

Science: Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle

2) Whales Alert Email List (from Science)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry, Alexis Van Bommel, Jody McRory, Kendra Moore

C&P: Darren Goetze, Judy Dwyer, Josée Annie Verville, Mike Cherry, Marc Naud, Lloyd Slaney, James Graves

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre, Pat Hall

SAR: Heidi Schaefer, Catherine Merriman

RD/Dir FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert, Tony Blanchard, Jacinta Berthier, Marc Lecoffe, Denis Gros-Louis

Science: Arran McPherson, Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle, Mike Hammill, Jack Lawson, Hilary Moores-Murphy,

Comms: Kathryn McElhone, Marian Hubley, Ingrid Nielsen, Kathleen Smith, Ashley Jackson

Other RM: Annette Rumbolt, Christa Waters

DRAFT

Annex 2. Membership of NARW Working Group (NARWG WG)

Chair: Brett Gilchrist

FAM Members:

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

NHQ: Jody McRory, Kendra Moore, Melissa Landry

Science Members:

Jean Landry, Simon Nadeau, Christine Abraham

SARA Members:

Catherine Merriman, Corina Busby

Notice to Fish Harvesters

Month, XX, 2018

MARITIMES REGION –
(1) NORTH ATLANTIC RIGHT WHALE CONFIRMED IN MARITIMES REGION
OR
(2) CLOSURE TO FISHERIES AS A RESULT OF NORTH ATLANTIC RIGHT
WHALE PRESENCE

(1)

Dartmouth – Fisheries and Oceans Canada (DFO) wishes to inform industry that (a) North Atlantic Right Whale(s) (NARW) has/have been confirmed in the Maritimes Region as of (date).

In 2017, there were an unprecedented number of deaths of NARW in Canada and the United States. As a result of this, the Government of Canada is taking measures to reduce the risk of interaction between NARW and fishing gear. In an effort to minimize the risks of interactions with the species, the Maritimes Region is requesting harvesters to report all sightings of North Atlantic Right Whales and Marine Mammals that are in distress or dead. All sightings of North Atlantic Right Whales should be reported to XMARwhalesightings@dfo-mpo.gc.ca or 1-844-800-8568. The following information must be provided in the report as soon as practicable:

- date and time of sighting;
- the latitude and longitude of your position when whale was sighted;
- the number of North Atlantic Right Whales observed;
- species certainty (certainty of species identification using the following codes: 1 = unsure/possible, 2 = probable, 3 = definite);
- identifying features (the features used to identify the species—for example, no dorsal fin for the North Atlantic Right Whale); and
- provide photographs if possible.

If you encounter a dead or distressed Marine Mammal you are asked to contact the Marine Animal Response Society at 1-866-567-6277 as soon as practicable. In this report, you will be asked to provide the following information:

- species encountered (if known);
- date and time of sighting;
- the latitude and longitude of your position when Marine Mammal(s) was sighted;
- the number of animals observed; and
- provide photographs if possible.

DRAFT

Please be advised that management measures, including temporary closures to some fishing activities may be required if more NARW are confirmed and the risk to the species increases. We appreciate the efforts the fishing industry is undertaking to help protect this species.

FOR INFORMATION:

Marilyn Sweet
Resource Management
Fisheries and Oceans Canada
Dartmouth, NS
902-221-7269

(2)

Dartmouth – Fisheries and Oceans Canada (DFO) wishes to inform industry that (a) North Atlantic Right Whale(s) (NARW) has/have been confirmed in the Maritimes Region as of (date). In 2017, there were an unprecedented number of deaths of NARW in Canada and the United States. As a result of this, the Government of Canada is taking measures to reduce the risk of interaction between NARW and fishing gear.

The whale(s) were confirmed in identified critical habitat and as a result, the Department is taking the precautionary measure of implementing a dynamic closure in the area for a minimum of 15 days. Please be advised that harvesters are required to remove their gear from the water and have 72 hours to retrieve fishing gear.

The area affected will be closed based on the following coordinates:

Point	North Latitude	West Longitude
1.		
2.		
3.		
4.		
5.		
6.		
7.		

DRAFT

All geographical coordinates (latitude and longitude) are expressed in the North American Datum 1983 (NAD 83) geodetic reference system.

Harvesters are requested to continue reporting all sightings of North Atlantic Right Whales and Marine Mammals that are in distress or dead. All sightings of North Atlantic Right Whales should be reported to XMARwhalesightings@dfo-mpo.gc.ca or 1-844-800-8568. The following information must be provided in the report as soon as practicable:

- date and time of sighting;
- the latitude and longitude of your position when whale was sighted;
- the number of North Atlantic Right Whales observed;
- species certainty (certainty of species identification using the following codes: 1 = unsure/possible, 2 = probable, 3 = definite);
- identifying features (the features used to identify the species—for example, no dorsal fin for the North Atlantic Right Whale); and
- provide photographs if possible.

If you encounter a dead or distressed Marine Mammal you are asked to contact the Marine Animal Response Society at 1-866-567-6277 as soon as practicable. In this report, you will be asked to provide the following information:

- species encountered (if known);
- date and time of sighting;
- the latitude and longitude of your position when Marine Mammal(s) was sighted;
- the number of animals observed; and
- provide photographs if possible.

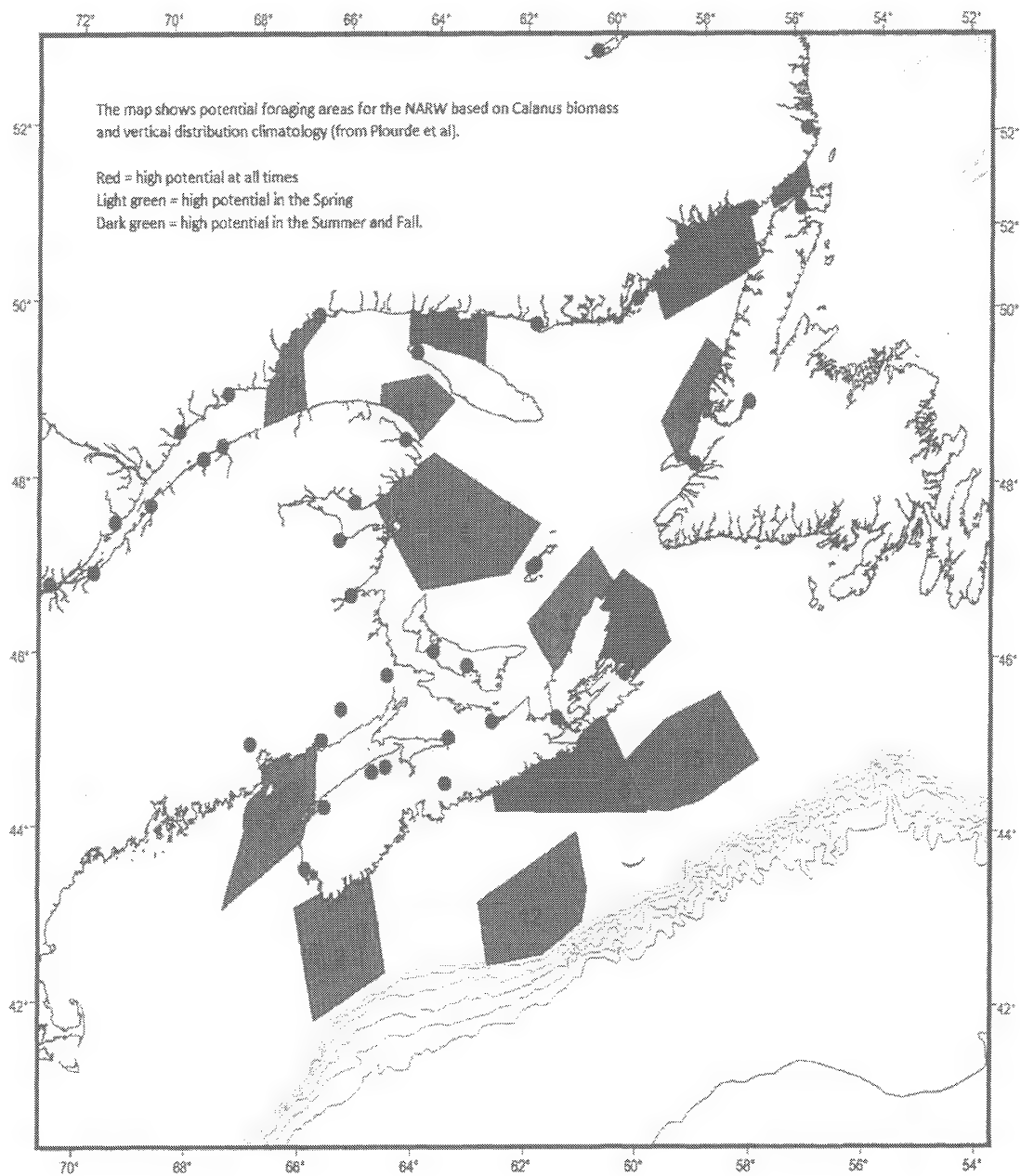
The fishing industry will be advised if changes are made to the coordinates or duration of the dynamic closure. We appreciate the efforts the fishing industry is undertaking to help protect this species.

FOR INFORMATION:

Marilyn Sweet
Resource Management
Fisheries and Oceans Canada
Dartmouth, NS
902-221-7269

DRAFT

Predictive Map of Potential Foraging Areas by Time of Year (For information only)



Dynamic and static closures adapted from the snow crab memo EKME 3888772

Fisheries and Oceans Canada (DFO) will implement a static closure and dynamic closures in the areas frequented by NARWs to help minimize the risks of NARW interactions.

Dynamic management for 2018

Fisheries and Oceans Canada (DFO) will implement a trial protocol for the dynamic management of fisheries in 2018 which would close areas in the Gulf of St. Lawrence (GSL) to fishing activities when the presences of North Atlantic Right Whales (NARWs) are observed. This protocol would allow DFO to close specific areas to fishing activities to prevent incidents with NARWs without the need to shut down the entire fishery, causing less economic impact on the fishing industry. The objective is to have a tool available if NARWs are present outside the static zone, and found in areas where fishing activities are present. This approach is an adaptation from the National Oceanic and Atmospheric Administration protocol. The implementation of the protocol will depend on dedicated aerial surveillance efforts.

The closure will be a 10 x 10 minute grid which represents (~ 225-239 km² similar to soft shell grids). Grids are pre-determined rather than based on where the whales are present. The confirmed sighting from a trusted source of one whale within a forage area (therefore likely feeding and aggregating), will trigger the closure of nine full grids providing a buffer area around the sighting location to account for whale movements. The closure would provide a protected zone of approximately 2,033-2,152 km².

Closures would be in force for 15 days and extended by 15 days from a last NARW sighting. If NARWs are not seen during at least two aerial surveillance flights in good conditions during the 15 day period, the dynamic closure for the relevant sections would be automatically lifted at the end of the period (one flight has to be in five days previous to end of first 15 day closure). Flights are subject to weather conditions, as well as the information gathered from flights (i.e. poor visibility). If circumstances preclude aerial surveillance in the five day period before the end of the first 15 day period, the fishing closure would be extended until the second surveillance flight can be conducted in good conditions and verify absence of whales. The closures would be regulated by a variation order under the *Atlantic Fisheries Regulations* or condition of licence.

Fish harvesters would be provided an advance notice of 48 hours to retrieve gear from the area prior to closure. Providing fish harvesters less than 48 hours to retrieve fishing gear would be viewed as an unsafe measure implemented by the Department, since some harvesters fish at a far distance from shore, and appropriate weather conditions must be favorable to ensure fish harvesters are not jeopardizing their safety. The less time DFO allows fish harvesters to retrieve their gear, the higher the potential of abandoned gear in closed areas. Last year, over 200 snow crab traps were left abandoned in the area that closed on July 14, 2017, due to the presence of NARWs.

Industry is not in favour of dynamic closures and expressed their discontent at the Southern Gulf Crab advisory meeting. Harvesters are concerned that fish harvesters will move their gear along the line of the closed area, creating a fence effect and consequently, become a prime zone for whale entanglement.

As this protocol may result in large areas being closed to the fishery, this will reduce fish harvesters' fishing territory, and may increase the risks of fish harvesters being unable to fish their allocations.

Static Closure for 2018

DFO will implement a static closure for fixed gear in an area where 90% of NARWs observations occurred in 2017 on the assumption that NARW will return to this area earlier in the season when the some fisheries are active. This closure would represent a geographic area of 14,000 km², and would be closed starting on April 28, 2018 or sooner if whales are present. The static closure will provide a large gear-free area for the NARWs, thus reducing risk of gear interaction.

The proposed static closure is located in an area where high levels of snow crab fishing activities occur each year, and from which a portion of the available biomass was accounted for. The area also covers part of Lobster Fishing Area (LFA 23) which has active spring lobster fishery, rock crab, toad crab and whelk fisheries. The Atlantic halibut fishery also occurs in this area in July. This area is based on actual sightings data from 2017 only. NARWs are anticipated to return to the same area as early as late April as per CSAS (2018/007) advice (December 2017); however, DFO does not have historical information or trends on the presence of NARWs in the SGSL, and therefore there are significant uncertainties regarding the timing of arrival and potential distribution of NARW in 2018, or whether they will return to the same geographic area.

Data on previous years indicate that fish harvesters have a tendency to fish along the line of closed areas. Closing a large area where NARWs are expected to be foraging will increase the number of vertical lines in the water along the closed area. This would result in a fence effect, therefore increasing the risks of entanglements along the border of the closed area, should whales exit.

Implementing a static closure will likely have a negative impact on all fleets. This will result in smaller fishing territory, as well as forcing fish harvesters to undertake fishing efforts in more concentrated areas, which could lead to an increase in tensions on the water by fish harvesters as they compete for smaller areas to fish.

Map of the Philippines showing the distribution of 1000 numbered locations. The map includes labels for 'OC' (Occidental Mindanao), 'PEI IPE' (Palawan, Iloilo, Panay, Negros, Mindanao), 'HB' (Hainan), and 'H-B' (Hainan). An inset map shows the location of the Philippines in the Western Pacific. The numbered locations are distributed across the archipelago, with a high concentration in the central and southern regions.

North Atlantic Right Whale Recovery Management Plan (NWRMP) | Produced by Science - Aquatic Resources Division, Gulf Region | For Internal Use Only | Last Update: 15/03/2018

Fishing-gear threat to right whales (*Eubalaena glacialis*) in Canadian waters and the risk of lethal entanglement

Angelia S.M. Vanderlaan, R. Kent Smedbol, and Christopher T. Taggart

Abstract: Commercial fishing gear can potentially entangle any whale, and this is especially true for the endangered North Atlantic right whale (*Eubalaena glacialis*), for which entanglement is second only to vessel strike as being responsible for documented right whale deaths. We use right whale survey data and Canadian fishing-gear deployment data to estimate the relative threat of gear entanglement in a Scotia-Fundy study area and the relative risk of lethal entanglement in the Bay of Fundy and on Roseway Basin, Scotian Shelf, where Critical Habitat has been legislated. We focus on groundfish and pelagic hook-and-line; groundfish gillnet; and crab-, hagfish-, and inshore and offshore lobster-trap gear. Our analyses demonstrate that groundfish hook-and-line gear poses the greatest threat to right whales among the seven gear types analysed during the summer-resident period in Critical Habitat and that gear from the lobster fisheries poses the greatest threat during the spring and autumn periods when whales are migrating to and from Critical Habitat. We suggest that area-specific seasonal closures of some fisheries would reduce threat and risk to whales without unduly compromising fishing interests.

Résumé : Toutes les baleines peuvent potentiellement s'empêtrer dans les engins de pêche commerciale et cela est particulièrement le cas de la baleine franche du Nord (*Eubalaena glacialis*) chez qui l'enchevêtrement est la seconde cause connue de mortalité après les chocs avec les navires. Nous utilisons les données d'inventaire des baleines franches du Nord et les données canadiennes sur le déploiement des engins de pêche pour estimer la menace relative de l'enchevêtrement dans les engins de pêche dans une zone d'étude de Scotia-Fundy, ainsi que le risque relatif d'enchevêtrement létal dans la baie de Fundy et le bassin de Roseway sur la plateforme néo-écossaise où un habitat critique a été désigné par législation. Nous nous intéressons à la pêche à la ligne et à l'hameçon des poissons benthiques et pélagiques, à la pêche au filet maillant des poissons de fond et à la pêche au casier de crabes, de myxines et de homards, tant au large que près des côtes. Nos analyses démontrent que les engins de pêche à la ligne et aux hameçons des poissons de fond représentent la menace la plus importante pour les baleines franches du Nord parmi les sept types d'engins analysés durant la période de résidence d'été des baleines dans l'habitat critique; les engins de pêche aux homards posent la menace la plus grande durant les périodes de printemps et d'automne quand les baleines migrent vers l'habitat critique ou en ressortent. Nous proposons des fermetures saisonnières de certaines pêches commerciales dans des zones précises, ce que réduirait la menace et le risque pour les baleines, sans compromettre outre mesure les intérêts de la pêche commerciale.

[Traduit par la Rédaction]

Introduction

Any cetacean can potentially become entangled in fishing gear, and entanglements are a major source of anthropogenic mortality among whales (Reeves et al. 2003). Although small whales are less likely to free themselves from an entanglement and thus drown, an entangled baleen whale is capable of dragging the gear for extended periods (Clapham et al. 1999). Gear entanglements are not necessarily lethal for large whales, and many right whales appear to shed gear or self-disentangle with no chronic effect (Johnson et al. 2007).

The frequency of reported entanglements varies among whale species and regions, and coastal species appear especially vulnerable. This is particularly true for the humpback whale (*Megaptera novaeangliae*) and the North Atlantic right whale (*Eubalaena glacialis*; Rosenbaum et al. 2000; hereafter referred to as right whale) as documented by Kraus (1990) and Lien (1994), wherein the entanglements are associated with various kinds of fishing gear that include longlines (hook-and-line), drift nets, traps or pots, and gillnets, etc. Johnson et al. (2005) report that 89% (32/36) of documented entanglements of humpback and right whales in the north-

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J2011-0026

Paper handled by Associate Editor C. Tara Marshall.

A.S.M. Vanderlaan and R.K. Smedbol. Department of Oceanography, Dalhousie University, 1355 Oxford Street, P.O. Box 15000, Halifax, NS B3H 4R2, Canada; Fisheries and Oceans Canada, St. Andrews Biological Station, 531 Brandy Cove Road, St. Andrews, NB E5B 2L9, Canada.

C.T. Taggart. Department of Oceanography, Dalhousie University, 1355 Oxford Street, P.O. Box 15000, Halifax, NS B3H 4R2, Canada.

Corresponding author: Angelia S.M. Vanderlaan (e-mail: angelia.vanderlaan@phys.ocean.dal.ca).

**Pages 837 to / à 855
are withheld pursuant to section
sont retenues en vertu de l'article**

68(a)

**of the Access to Information Act
de la Loi sur l'accès à l'information**

Waters, Christa

From: Berthier, Jacinta
Sent: May-23-18 2:15 PM
To: Waters, Christa
Subject: RE: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Follow Up Flag: Follow up
Flag Status: Flagged

It was raised on the MINO briefing on Friday, but no clear guidance was provided. If you can present it to Randy in terms of seeking their support to clarify the matter with MINO – Gulf already provided the notice, our plan is to send the notice to only those who are likely to be fishing in that area, and we need to give notice ASAP given NARW presence in the Gulf.

If Randy is not able to support us in that clear request to MINO for approval to proceed, then I will put back to Annette to raise on tomorrow's general MINO call. May be the best place to move it forward if NHQ is not familiar with the issue.

Thanks,
JB

From: Waters, Christa
Sent: Wednesday, May 23, 2018 2:01 PM
To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Cc: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Quigley, Sara <Sara.Quigley@dfo-mpo.gc.ca>; Penny, Lorne <Lorne.Penny@dfo-mpo.gc.ca>
Subject: RE: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hello Jacinta,

There has been no further word on this. I think we should remind NHQ that this issue still exists and needs to be addressed. In retrospect I should have brought this up on the call this morning.

If you are alright with this, I can email Randy for further direction.

Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

From: Daley, Annette
Sent: May-17-18 1:22 PM
To: Berthier, Jacinta; Waters, Christa; Sweet, Marilyn; Merriman, Catherine B
Subject: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Until authorized to do so. Thx

Annette

From: Wentzell, Doug
Sent: Thursday, May 17, 2018 1:07 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Annette.

Please ensure this notice is not released.

Doug

Doug Wentzell

Associate Regional Director General, Maritimes Region
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-2250 | Facsimile: 902-426-2706

Directeur général régional associé, Région des Maritimes
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-2250 | Télécopieur: 902-426-2706

From: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 12:58 PM
To: Rossignol, Pauline; Lapointe, Sylvie
Cc: Daley, Annette; Berthier, Jacinta; Wentzell, Doug; Patrick, Lindsey
Subject: RE: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

PLEASE HOLD UNTIL FURTHER NOTICE.

Ashley Butcher
DMO
613-990-0020

From: Rossignol, Pauline
Sent: Thursday, May 17, 2018 11:00 AM
To: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>

Cc: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Patrick, Lindsey <Lindsey.Patrick@dfo-mpo.gc.ca>
Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence
Importance: High

Hi Sylvie and Ashley, see below, for urgent approval please:

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 11:32 AM
To: Rossignol, Pauline
Cc: Daley, Annette; Waters, Christa; Penny, Lorne; Sweet, Marilyn
Subject: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Pauline,

Annette planned to raise this on today's MINO call, however, given it was rescheduled and this matter has a high degree of urgency since the first sighting of a NARW this week off Cape Breton, we are seeking concurrence to proceed with the attached Notice to Fishers. The notice will be issued directly to licence holders in LFA 27 who fish in the specific portion of LFA 27, adjacent to LFA 26B, sent via email by the Area Chief, Resource Management in the ENS Area Office (Lorne Penny). I also attached a map of the LFAs for quick reference, if needed.

Background:

- The Gulf Region has implemented a protocol for the dynamic closures of fisheries in three areas of the Gulf of St. Lawrence which have been identified as possible foraging areas for North Atlantic Right Whales (NARW). The protocol will involve closing specific areas to fixed gear fishing for a minimum of 15 days if an NARW is observed. The protocol was communicated to Gulf-based lobster licence holders on April 24, 2018, and to Quebec-based licenced holders via a notice on the DFO website.
- One of the foraging areas – approximately four grid cells – overlaps with Lobster Fishing Area (LFA 27), which extends into the Gulf of St. Lawrence. LFA 27 opened on May 15th.
- Maritimes Region is also considering a dynamic closure protocol which has been sent to the Minister's Office for decision.

Considerations:

- There have not been consultations in LFA 27 specifically on the dynamic closure protocols. (Five Indigenous groups hold lobster licences in LFA 27: Membertou, Waycobah, Wagmatcook, Chapel Island, Native Council of Nova Scotia.)
- Lobster licence holders in adjacent LFAs (22, 24 and 26B) would likely consider it unfair if all fixed gear activity within the same foraging area is not subject to similar conservation measures
- On May 15, 2018, one NARW was confirmed in LFA 27 and there were several others unconfirmed, but presumed to be NARW, sighted in the area. This has led to heightened surveillance and monitoring of the area.

Action required May 16, 2018:

- The attached Notice to Fish Harvesters will be distributed to LFA 27 licence holders to advise them of the situation and that the confirmation of NARW in a portion of their LFA will result in a dynamic closure.

Thanks,
Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

Waters, Christa

From: Daley, Annette
Sent: May-23-18 2:32 PM
To: Waters, Christa; Berthier, Jacinta; MacDonald, Carl
Cc: Merriman, Catherine B; Sweet, Marilyn
Subject: Re: notes for advisors on NARW

Looks good - thanks Marilyn. My only question is regarding the line:
options for dynamic management (temporary closure options).

Does dynamic management only refer to closures or could other activities be included such as tending gear? If so, I would use an eg in front of temporary close option, then follow with a second example so people won't get stuck on it. But if that is what it means, then fine as is.

Annette Daley
A/Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Annette.Daley@dfo-mpo.gc.ca |
Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directrice régionale par interim, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Annette.Daley@dfo-mpo.gc.ca |
Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Waters, Christa
Sent: Wednesday, May 23, 2018 11:17 AM
To: Berthier, Jacinta; MacDonald, Carl; Daley, Annette
Cc: Merriman, Catherine B; Sweet, Marilyn
Subject: RE: notes for advisors on NARW

Hello,

Further to your question, I have asked Cathy to look into using the VO process (marine radio through Regs unit and their distribution list). I suspect she will be talking with Marilyn and Joe on this in the next day or two.

Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches

From: Berthier, Jacinta
Sent: May-23-18 12:09 PM
To: MacDonald, Carl; Daley, Annette
Cc: Merriman, Catherine B; Sweet, Marilyn; Waters, Christa
Subject: RE: notes for advisors on NARW

Great work articulating the issue succinctly. I have tracked a few suggested additions and a question below.

JB

From: MacDonald, Carl
Sent: Wednesday, May 23, 2018 10:47 AM
To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>
Subject: RE: notes for advisors on NARW

Hi Jacinta and Anette,

Attached are lines drafted by Marilyn, suitable for advisors to utilized in discussions with industry and stakeholders. Seeking your review and approval.

Regards,

Carl MacDonald
Resource Management
Fisheries & Oceans Canada | Government of Canada
Carl.MacDonald@dfo-mpo.gc.ca | Tel: 902-293-8257 | Fax: 902-426-7967

Regional agent principal de gestion des peches, Gestion des ressources
Pêches et Océans Canada | Gouvernement du Canada
Carl.MacDonald@dfo-mpo.gc.ca | Tél: 902-293-8257 | Télécopieur: 902-426-7967

From: Sweet, Marilyn
Sent: 2018-May-23 9:51 AM
To: MacDonald, Carl; Waters, Christa
Cc: Merriman, Catherine B
Subject: notes for advisors on NARW

Hi there,

As requested in the staff meeting yesterday and by Jacinta/Annette, here are some lines for advisors if questioned on NARWs and the current/recent actions in the Maritime's Region.

Let me know if these are suitable and I can forward on to them for review.

Thanks!

Mar

- The Maritimes region held approx. 9 engagement/workshop sessions around the region in late 2017 and early 2018 to discuss approaches to right whale entanglement avoidance and risk reduction measures. In addition, information was presented at AC meetings, council meetings, SFRT etc.
- Using input from these discussions, DFO made some changes to conditions of licence for 2018 seasons (reduction of line between primary and secondary buoy, reducing rope on the surface, reporting of lost gear, etc).
- In the Gulf of St Lawrence DFO developed protocols for a static closures (effective April 28, 2018) as well as dynamic closures. These closures are in areas that have been identified as potential right whale foraging areas, based on surveillance information from 2017 and based on data about right whales' prey species.
- Dynamic closures in the Gulf of St. Lawrence are triggered by sightings of right whales, and follow specific protocols for the amount of space closed and the duration of the closure. A dynamic closure was put into place May 22nd resulting in a temporary closure to several crab, lobster, whelk and groundfish fisheries in the Gulf.
- In Maritimes Region, DFO is arranging further discussions with industry to review the existing procedures for confirmed NARW sightings in the Maritimes Region, and to discuss the notification process and options for dynamic management (temporary closure options). Currently, confirmed sightings of right whales are reviewed on a case-by-case basis in discussions with other regions and Ottawa.
- Information on confirmed sightings and subsequent management actions will be relayed to industry through Marine Broadcast and on the DFO website. Does this mean we will not be using the Advisory Committee distribution lists to share sighting information in the future?

Marilyn Sweet

Senior Advisor | Conseillère principale

Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada | Pêches et Océans Canada

1 Challenger Dr | 1 promenade Challenger

PO Box 1006 | C.P. 1006

Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2

(902)-221-7269

Marilyn.Sweet@dfo-mpo.gc.ca

Jacinta Berthier
Electronic 'One-Note' related to protocol for fishery closures

Date	Notes
2018-05-23	<p>Ginny, Bonnie, Amy, Ashton,</p> <p>Objective of the call - Planning group to provide input / recommendation on the next round of engagement to define the management measures that may be taken in the case of a sighting;</p> <p>Interest in knowing about sightings anywhere</p> <p>Would like a working group call in the affected area - interest in knowing what discussion is happening anywhere in the region;</p> <p>GMFA asked if there was a whale sighted in ENS on Thursday; referenced the twitter map showing the sighting, DFO has not</p> <p>Next step: go to full Roundtable - Ad hoc meeting of the SFRT, with a focused agenda on NARW; Meeting next week;</p> <p>Include sector representatives to discuss what is being done by DFO;</p> <p>Aim for 3PM teleconference; face to face or on-sight attendance option.</p>
2018-05-15	<p>Simon noted status of science platforms; NOAA report that most whales have moved from previous grouping;</p> <p>Unconfirmed by science will mean no 'management measures beyond notification' would be taken; if confirmed, case-by-case review.</p> <p>LFA 27 notification to be linked to any national Notice to Fishers;</p> <p>Communications - National and regional coordination meetings; seeking clarification on how to use holding lines.</p>
2018-04-25	<p>Randy noted the Information Flow Protocols</p> <p>Clarified that static closures are for all fixed gear fisheries with vertical lines in the water;</p> <p>Dynamic closure - in forage zones, question if the closure extends beyond the forage zone / area subject to closure = Gulf seeking a response</p>
2018-04-25 1330hrs	<p>National call - Adam chaired to get input from other regions on NARW protocol from Quebec Region</p> <p>Adam noted that some types of groundfish gear pose low risk to whales - referenced the Brilliant paper;</p> <p>Action: Maritimes Region to confirm if our Halibut and other fixed gear groundfish fisheries are able to proceed in a 'potentially' closed area due to the presence of NARW - based on their ability to tend the gear the entire time it is set (or set fewer strings of gear)</p> <p>Are we comfortable with the 20 or 25Fa zone as a way to delineate management responses / guidelines for dynamic closures?</p> <p>National NARW Weekly Call - Randy Chaired</p>

2018-05-02	<p>General guidance is that all fixed gear fisheries can only proceed in static or dynamic closure Action: Regions to provide a list of all fixed gear fisheries where tending practices may or may not be conducive to fishing in a static or dynamic closure scenario.</p> <p>Closures apply within area subject to dynamic closure - make the closure big enough to capture the potential aggregation area; does not mean we cannot close areas outside dynamic closures.</p>
2018-04-04	Jen chaired the NHQ Whale call:
2018-04-11	<p>Gulf - no update on season opening; Maritimes - CFA 23 opened April 1; questioned national direction re other fisheries and protocols for interactions;</p> <p>Randy chaired the call;</p> <p>I noted the table top exercise; Mike Grace noted the science survey</p> <p>Gulf is working on a table top exercise as well; asked for roles and responsibilities document for fishery officers in supporting incidents; NHQ noted there are steps in place - operational plan; Gulf noted concern that C&P is asking for support from CCG if the fishery is closed and gear remains in the water; NHQ noted that CCG will respond in terms of asset availability to remove fishing gear; Quebec noted that their focus will be to identify owners of gear, give a direct order, and say it will result in additional violations for each day the gear remains in the water;</p> <p>Quebec has spotted a few Blue Whales; struggling with how to impose similar measures on other fixed gear fisheries; extensive discussion of measure related to distance between 1st and 2nd buoy;</p> <p>NHQ - discussion of TC being used to coordinate Gulf; 24/7 operations centre; seeking confirmation that temporary closures only apply to 4T</p>
2018-04-18	<p>Randy chaired the meeting:</p> <p>By early next week, anticipate regular reporting pieces should be in place; Frequency of reports to brief ADM: daily sitrep - to be determined; NARW remain in Massachusetts based on NOAA sightings, Roseway and Bay of Fundy monitoring by DFO - no whales sighted;</p> <p>Commencement of static closure - 4T; no appetite to amend start date until closer to timeline (April 28); requests to reconsider portions of the closure closer to shore;</p> <p>NL: Noted air surveillance plans;</p> <p>Maritimes: Note our Table Top exercise - regional protocol in response to sightings (detection) of whales; issue of Critical Habitat will be put forward in a Briefing Note to the Minister with options flagged for guidance / protocol document;</p> <p>Gulf noted a full-day simulation exercise last week, they noted the need for closure templates - draft zones before the closure takes place;</p>

Also noted the ice remains in the Gulf, and possibly will result in delayed fishing pushing up against static closure date;

Report from Centre for Coastal Studies has concluded that

Adam, Maryse, Frank; Bob:

Build in a process for this group

No decision making role for regional directors for mm response; seeking management direction
Gulf is writing a memo to specify decision rules of a particular area; implicated RD to have the lead on implementing approved decision rules;

Depending on the season, work with Science RDs and FM - calls on a regular basis to discuss

Premature to decide what to do if x whales show up - low number v. high number

Proposal that this group convenes on a regular basis, participating in this call is priority during the season;

Accountability for decisions rests with particular RD; triggers and pre-established decision rules

Hilary-Moors Murphy - frequency of updating sightings maps, updated as per the final monitoring map; seeking daily reports from the aircraft - go to Hilary -she will forward to RD's?

Maryse noted a concern re how information will flow to / from external partners; Randy is working on a protocol for how that information will flow;

No decision rules yet in place - Randy;

RDs get the data each day, apply decision rules as appropriate, convene a call to report what action has been taken and then NHQ will brief up;

Science in NARW - recovery plan work; cetacean work being done at IML;

Agree there is a need for more information on sightings information

DM - clear that all things whale are coordinated by Sylvie; that has been delegated to Randy to work with Jean Landry on how aerial surveillance will be coordinated (fishing areas monitored by C&P); Operational coordination work via Directors group - Randy; RD's only need to become engaged on the scheme for monitoring;

No room for freelancing, no internal staff providing updates external to DFO on details not yet communication / decisions taken internally;

Gulf - working on a memo for Southern Gulf;

Work monitoring Scotian Shelf -

Monitoring protocol = Maryse asked

Work out surveillance requirements for the program - C&P priorities

Randy - to keep folks updated through Whales Executive meeting;

Randy working on coordination of monitoring, protocols for how information will flow;

Decision making - at RD level; consolidation of information from flights - directly to RD's who must make a decision within an hour;

Any information received on any whale sighting goes directly to National coordination point - focus on issuing a dynamic closure in the area;

2018-01-30

Fisheries Interaction __ National Meeting

Science Update:

- Discussion of starting in the spring - April - May would be to survey the Roseway Basin - then Scotian Shelf - 4 days of surveillance
- Move to sGSL - 1 week
- Potential foraging areas are not comprehensive - concern that known sightings of whales in areas not identified as forage areas;
 - From a FM perspective - use the potential areas to forecast planned surveillance and react to known sightings
 - Question of NGO/ public / fisher sightings
- Focus work of Dash 8 - based in Moncton - to support sightings information; within 24hrs we should be able to dispatch one of the platforms closest to the area; use on-ground groups to support verification;
 - Incentivize industry to take photos -
 - Science WG - focused on how to validate information from fishers - ACTION: promote the reporting numbers to the industry (all harvesters , not just the representatives)- promotion of information; outreach campaign in sGSL and Scotian Shelf;
 - FM to take measures to react to known / potential sightings based on the fisher reports;
- Science strategy to cover all Canadian waters and support the MMPA Rule implementation - limited capacity to deviate from the Global Program for Marine Mammal monitoring; \$3M contract for the twin otter that Science will use to monitor;
- Current strategy for aerial surveillance - toolkit approach; contract in place; NOAA mandate to do stock assessment - stay with aggregations;
- Working group in Science - collect all data and keep in centralized place -

Management - initiative to improve the observer process; introduce marine mammal sightings / entanglements; NHQ working on pulling together training information available;

Resource Management Updates on Measures to be implemented in Spring 2018 fisheries;

- Mandatory reporting of lost gear -
- Gear markings - buoys marked- to support lost gear reporting and cross reference with the location the gear was set;
- Floating rope - 2 fathoms (12', 3.7m)
- Color marking scheme - to move to other CFAs / LFAs - zonal approach;

Pre-season Measures -

- Open sooner if possible, unless a signal received that whales are present;
- IF whale detected in advance of the season opening - risk triggers: do we restrict the area to be opened

Action: ensure our list of fisheries openings is accurate, send a list with opening times and comment column for annual variation dates; Send list to NHQ

Static and Dynamic Measures

- Hilary noted the #1 measure for mitigating risk to NARW is static closures in the known critical habitat to any fisheries with vertical lines in the water

- See posted review report - and what we heard posted online; reference to Brilliant et al 2017 and 2015 papers;

RECOMMENDATIONS THAT INDIRECTLY REDUCE THE THREAT OF VESSEL STRIKE

D. Remove vessel traffic from Roseway Basin critical habitat by promoting awareness through further Notices to Mariners and monitoring the Roseway Basin Area to be Avoided to ensure compliance

RECOMMENDATIONS THAT DIRECTLY REDUCE ENTANGLEMENTS FROM FISHING GEAR

E. Remove fishing gear from critical habitats by implementing spatiotemporal closures to fishing activities in critical habitats when North Atlantic right whales are present.

F. Remove fishing gear from other high-use areas by implementing spatiotemporal closures of fishing activities when North Atlantic right whales are present.

G. Remove rope from the water column by implementing ropeless gear fisheries in areas where North Atlantic right whales occur thereby partially removing the threat.

H. Continue to support, increase capacity and implement response to North Atlantic right whale entanglement events.

RECOMMENDATIONS THAT INDIRECTLY REDUCE ENTANGLEMENTS FROM FISHING GEAR

I. Implement gear marking and gear retrieval programs to provide information allowing the identification of the source of the gear (i.e., the specific fishery) and the type of lines (e.g., endlines versus groundlines) involved in the entanglement.

J. Implement gear reporting (including when, where, and how much gear is being set) as a requirement for industry.

RECOMMENDATIONS THAT INDIRECTLY REDUCE ACOUSTIC DISTURBANCE

K. Remove vessels from critical habitats to decrease the level of vessel noise to some degree in the critical habitat, thereby decreasing the threat of acoustic disturbance (though the extent that noise levels will be decreased is not currently known, and the close proximity of major shipping traffic to the critical habitats even once vessels are removed from the area will still result in some level of vessel noise exposure).

	<p>L. Remove fishing activities from critical habitats to decrease to the level of vessel noise to some degree in the critical habitat, thereby decreasing the threat of acoustic disturbance (though the extent that noise levels will be decreased is not currently known, and the close proximity of major shipping traffic to the critical habitats even once vessels are removed from the area will still result in some level of vessel noise exposure).</p> <p>RECOMMENDATIONS THAT DIRECTLY REDUCE VESSEL PRESENCE DISTURBANCE</p> <p>M. Remove vessels from critical habitats to decrease exposure to vessel presence, thereby decreasing the threat of vessel-presence disturbance.</p> <p>N. Remove fishing activities from critical habitats to decrease the threat of vessel-presence disturbance.</p> <p>Dynamic Management - Close on 5x5nm grids, 2 weeks closure, with 1-2 flights to confirm ongoing whale presence in that time; Opportunistic flights / diversion of C&P flights (dedicated if requested to open / close an area)</p> <p>Discussion of closing areas and whether or not gear is removed from the water or moved to other areas - industry to determine for this year; Gear tending - only practical for certain fisheries / gear configuration; Gear reduction -</p> <p>Discussion_ Gear tending: longline gear to be tended if whales are in the area; pots kept to a number that can be retrieved in a 24hour period: Q1. do fishers need to record location of trap sets in their logbook? Can we use these to generate heat maps</p> <p>Q2. how will we measure effectiveness of mitigation measures?</p> <p>In-season lost gear retrieval - condition of licence; Stakeholder engagement -</p> <p>Next steps - by end of week - NHQ will have a summary of the meeting; draft plan by mid-February; lat February we will aim to have messages out to industry;</p>
2017-12-11	<p>NARW - Planning and Coordination Meeting for NARW Protection and Recovery</p> <p>Purpose of the meeting: Share information on management options being considered for next year</p> <p>5 entanglements - live release over summer; 1 necropsy confirmed from entanglement;</p> <p>Internal drivers - SARA and OPP; External drivers - MMPA, MSC;</p> <p>Critical Habitat - protection order being signed off this week - published in Canada Gazette II,</p>

Comment that there is currently a need to identify habitat in the GoSL; issues with data availability to recognize critical habitat;
Anticipate that Science surveillance will be a key step in identifying CH in the GoSL;
CH is intended to prohibit destruction to the habitat; SARA S. 32 is already intended to prevent harm to individuals;

Action plan - fishery interactions - awaiting final approval, but possible to start implementing measures

Recovery Strategy - 3 objectives: focus for management measures is 'reduce risk of entanglement / entrapment due to fishing gear'

OPP - what we heard document has been prepared; final document on Science Review is being reviewed;

How will actions from the document will form part of the response;

Presentations by Science

Update on Canada-US meeting - Jen Buie

s.69(1)(g) re: (a)

Components of Incident Response:

Carcass retrieval - benefit of a regional coordination group - similar to NL and Quebec process; Quebec has a written protocol in place

Action: Contact Michel G. Quebec Science / RM Coordinator to seek a copy of their protocols related to Marine Mammals;

Sherry noted the need to include the additional information for each incident - e.g. algal blooms, increased vessel traffic,

Steering Committee will meet

Issue - who tracks and maintains all necropsy reports;

MM Coordinators - each quarter, regions submit a summary of all incidents - excel; necropsy reports not included;

Action: Need for improved reporting and record-keeping

Recommendation in 2014 Science Advice - centralize where sightings and incidents (entanglements/ necropsies)

Gear Retrieval and Analysis - storage of gear, tracking of analysis reporting; Science request that we are able to store the gear; Documentation system; Chain of Custody;

Regional Engagement

MAR - 4 sessions held, information sharing focus; plan to have detailed workshop in January

Day 2

Dynamic Area Management discussion

	<p>Floating rope at surface - start implementing licence conditions across all trap based fisheries in Maritimes Region - Lobster, Crab, whelk, slime eel,</p> <p>Management Option related to changes in Rope: Use of Red Rope - Action: set as an experiment with Snow Crab / Lobster? Develop as an experiment, with structure; consider setting up with marked rope;</p>
2017-12-07	<p>Proposed strategy for whale governance</p> <p>References to national commitments:</p> <p>It will do so through activities in Science and Monitoring (Element 1), Management Measures (Element 2), and Co-Delivery and Engagement (Element 3).</p> <p>In doing so, it will be guided by the following principles:</p> <ul style="list-style-type: none"> • <u>Precaution</u> – measures are proposed to avoid and mitigate threats or pressures on at risk or endangered whale populations despite a lack of complete scientific certainty. • <u>Adaptation</u> – measures that are implemented are evaluated for efficacy and adapted over time based on performance objectives and the results of research and monitoring. • <u>Participation</u> – measures are informed and implemented through coordinated efforts by those with expertise, vested interests, and legislative accountability. <p>Science and Monitoring is necessary to fill gaps in our knowledge of the threats, whale populations, and the impact of the former on the latter. It is also necessary to inform the <u>adaptability</u> of the management measures to reduce the threats over time.</p> <p>Management Measures are needed now to address threats in a <u>precautionary</u> way, even if our knowledge is incomplete. The Program includes management measures that will have an immediate impact on threats such as voluntary and required vessel slowdowns, as well as measures that contribute to long term solutions, such as the development of innovative fishing gear.</p> <ul style="list-style-type: none"> • <u>Develop and model modified fishing gear</u>. The North Atlantic Right Whale is very susceptible to entanglement in fishing gear. Under this sub-element, the Government will develop and assess the efficacy of modified fishing gears that would reduce the risk of entanglement. For high-risk fisheries with respect to whale entanglement, modified fishing regimes and strategies (e.g. time and area closure) will modelled and assessed for risk in cooperation with the fishing community. This element will also involve analyzing data collected through management activities to assess compliance to and effectiveness of any voluntary or regulatory mitigation measures. Marine mammal bycatch observer data will be assessed.

This will also involve working with the new Atlantic Research Chair to assess innovation with regards to various whale-related technologies.)

- Fisheries Mitigation Measures & 'Marine Mammal Response Plan . Preventive measures would include outreach and stakeholder engagement as well as working group and subject matter expert meetings to develop strategies and mitigation measures (for other species fisheries) to reduce the threat to whales. The operationalization of mitigation measures will rely heavily on the ability of Fisheries Management staff to access and analyse data pertaining to whale locations and movement in a timely manner throughout the fishing season. The collection of whale sightings data in and of itself is generally a function of others and there are a myriad of potential sources ranging from hydro-acoustic sensors, to surveillance flight, ships at sea, observer reports, fishing logs and the development of Apps for industry and public reporting. For Fisheries Management purposes a robust data management and analysis program that utilizes data from a variety of sources is preferred to dependence on a single source. The tracking and reporting on whale interactions would also be an important requirement for adapting strategies and methodologies. There also needs to be sufficient capacity to monitor movement and respond to events on an ongoing basis during the "whale season".
- Marine Mammal Response Plan In addition to taking measures to reduce the impact of threats, the Government must continue be in a position to respond to human/whale interaction incidents such as entanglement, and other life threatening incidents such as strandings. The proposed enhanced national marine mammal rescue program will balance a timely response program with the health and safety of those engaged in inherently dangerous activities such as disentanglement. The focal point of an enhanced rescue program would be delivery through a DFO-led critical incident response. A compressive training and accreditation program would be put in place for all responders. An effective response program will also serve as an important information source for assessing the effectiveness of any mitigation measures put in place to reduce threats. Key elements of the program is the identification and tracking of gear types involved with entanglements and potentially determine mechanisms involved with gear entanglements, assessing where gear is located, and conducting necropsies of mortalities to investigate cause of death. All of this information will contribute to Canada's ability to meet the requirements of the U.S. MMPA
- DFO would establish recovery implementation hubs in regions which would champion and support activities of federal departments and external partners to address the key threats to whales, including outreach, consultations and policy development. A national coordination function will ensure continuity of activities and similar approach to addressing a particular threat, across Canada.

Van Bemmell, Alexis

From: Jenkins, Randy
Sent: May-24-18 5:39 PM
To: Gilchrist, Brett; Van Bemmell, Alexis
Subject: FW: FYI only: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Follow Up Flag: Follow up
Flag Status: Flagged

FYI...

From: Daley, Annette
Sent: Thursday, May 24, 2018 5:20 PM
To: Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>
Subject: FYI only: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Update that we got approval today from MinO to communicate out to affected industry – as per below. FYI Only.

Annette

From: Berthier, Jacinta
Sent: Thursday, May 24, 2018 12:08 PM
To: Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Quigley, Sara <Sara.Quigley@dfo-mpo.gc.ca>; Penny, Lorne <Lorne.Penny@dfo-mpo.gc.ca>
Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Gentile, Paul <Paul.Gentile@dfo-mpo.gc.ca>
Subject: RE: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hello All,

This matter was raised on today's briefing with the MINO staff. It was clarified that this would affect a small portion of the Maritimes Region LFA 27 fishing area, 3-4 grid boxes overlap.

MINO asked if a triggered closure in that dynamic area may result in a broader closure into LFA27. I noted that the dynamic management measures apply only to those boxes at this time. However, I pointed out that as part of our follow-up (round 2) engagement with stakeholders to discuss management options such as dynamic closures for CH more specifically, there will be an opportunity to seek input on possible scenarios where NARW are sighted in large numbers in active fishing areas across the Maritimes Region.

We did get the approval to proceed with notification as soon as you are able to coordinate it amongst the area and regional staff.

The next key steps will be to advance the internal procedures for a potential closure in the dynamic area – while Gulf would be the lead, the Working Group would be the place where a recommendation to close those areas based on sightings would flow from. Therefore please work together to advance the required pre-planning work to effect any

potential closures to ensure there are no regional delays and we can work closely with Gulf region counterparts on this issue.

Thanks for your patience and persistence on this matter. Please let Annette and I know when this notice will be communicated to the industry.

Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

If you have received this communication by mistake, please notify the sender immediately and delete the communication without printing, copying or forwarding it. Thank you.

Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

From: Daley, Annette

Sent: Thursday, May 17, 2018 1:22 PM

To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>

Subject: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Until authorized to do so. Thx

Annette

From: Wentzell, Doug

Sent: Thursday, May 17, 2018 1:07 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>

Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Annette.

Please ensure this notice is not released.

Doug

Doug Wentzell

Associate Regional Director General, Maritimes Region
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-2250 | Facsimile: 902-426-2706

Directeur général régional associé, Région des Maritimes
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-2250 | Télécopieur: 902-426-2706

From: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 12:58 PM
To: Rossignol, Pauline; Lapointe, Sylvie
Cc: Daley, Annette; Berthier, Jacinta; Wentzell, Doug; Patrick, Lindsey
Subject: RE: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

PLEASE HOLD UNTIL FURTHER NOTICE.

Ashley Butcher
DMO
613-990-0020

From: Rossignol, Pauline
Sent: Thursday, May 17, 2018 11:00 AM
To: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Cc: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Patrick, Lindsey <Lindsey.Patrick@dfo-mpo.gc.ca>
Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence
Importance: High

Hi Sylvie and Ashley, see below, for urgent approval please:

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 11:32 AM
To: Rossignol, Pauline
Cc: Daley, Annette; Waters, Christa; Penny, Lorne; Sweet, Marilyn
Subject: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Pauline,

Annette planned to raise this on today's MINO call, however, given it was rescheduled and this matter has a high degree of urgency since the first sighting of a NARW this week off Cape Breton, we are seeking concurrence to proceed with the attached Notice to Fishers. The notice will be issued directly to licence holders in LFA 27 who fish in the specific portion of LFA 27, adjacent to LFA 26B, sent via email by the Area Chief, Resource Management in the ENS Area Office (Lorne Penny). I also attached a map of the LFAs for quick reference, if needed.

Background:

s.16(2)

- The Gulf Region has implemented a protocol for the dynamic closures of fisheries in three areas of the Gulf of St. Lawrence which have been identified as possible foraging areas for North Atlantic Right Whales (NARW). The protocol will involve closing specific areas to fixed gear fishing for a minimum of 15 days if an NARW is observed. The protocol was communicated to Gulf-based lobster licence holders on April 24, 2018, and to Quebec-based licenced holders via a notice on the DFO website.
- One of the foraging areas – approximately four grid cells – overlaps with Lobster Fishing Area (LFA 27), which extends into the Gulf of St. Lawrence. LFA 27 opened on May 15th.
- Maritimes Region is also considering a dynamic closure protocol which has been sent to the Minister's Office for decision.

Considerations:

- There have not been consultations in LFA 27 specifically on the dynamic closure protocols. (Five Indigenous groups hold lobster licences in LFA 27: Membertou, Waycobah, Wagmatcook, Chapel Island, Native Council of Nova Scotia.)
- Lobster licence holders in adjacent LFAs (22, 24 and 26B) would likely consider it unfair if all fixed gear activity within the same foraging area is not subject to similar conservation measures
- On May 15, 2018, one NARW was confirmed in LFA 27 and there were several others unconfirmed, but presumed to be NARW, sighted in the area. This has led to heightened surveillance and monitoring of the area.

Action required May 16, 2018:

- The attached Notice to Fish Harvesters will be distributed to LFA 27 licence holders to advise them of the situation and that the confirmation of NARW in a portion of their LFA will result in a dynamic closure.

Thanks,
Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

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Berthier, Jacinta

From: Berthier, Jacinta
Sent: Thursday, May 24, 2018 4:33 PM
To: Quigley, Sara; Penny, Lorne
Subject: RE: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence
Attachments: 2018_LOBSTER_Conservation Harvesting Plan.docx

Hi Sara and Lorne,

Just came across this document in an email from Communications. I wonder if the attached map can be updated to include the mapping of LFA 27, so we can share that information with the harvesters? Perhaps we are already there, or part way there.

Also, I meant to update the previous subject line. I hope there was no confusion, and we are now able to give this notice to harvesters in LFA 27.

Thanks,
JB

From: Berthier, Jacinta
Sent: Thursday, May 24, 2018 12:08 PM
To: Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Quigley, Sara <Sara.Quigley@dfo-mpo.gc.ca>; Penny, Lorne <Lorne.Penny@dfo-mpo.gc.ca>
Cc: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Gentile, Paul <Paul.Gentile@dfo-mpo.gc.ca>
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Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

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From: Daley, Annette

Sent: Thursday, May 17, 2018 1:22 PM

To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>

Subject: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Until authorized to do so. Thx

Annette

From: Wentzell, Doug

Sent: Thursday, May 17, 2018 1:07 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>

Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Annette.

Please ensure this notice is not released.

Doug

Doug Wentzell

Associate Regional Director General, Maritimes Region
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-2250 | Facsimile: 902-426-2706

Directeur général régional associé, Région des Maritimes
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-2250 | Télécopieur: 902-426-2706

From: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 12:58 PM
To: Rossignol, Pauline; Lapointe, Sylvie
Cc: Daley, Annette; Berthier, Jacinta; Wentzell, Doug; Patrick, Lindsey
Subject: RE: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

PLEASE HOLD UNTIL FURTHER NOTICE.

Ashley Butcher
DMO
613-990-0020

From: Rossignol, Pauline
Sent: Thursday, May 17, 2018 11:00 AM
To: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Cc: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Patrick, Lindsey <Lindsey.Patrick@dfo-mpo.gc.ca>
Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence
Importance: High

Hi Sylvie and Ashley, see below, for urgent approval please:

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 11:32 AM
To: Rossignol, Pauline
Cc: Daley, Annette; Waters, Christa; Penny, Lorne; Sweet, Marilyn
Subject: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Pauline,

Annette planned to raise this on today's MINO call, however, given it was rescheduled and this matter has a high degree of urgency since the first sighting of a NARW this week off Cape Breton, we are seeking concurrence to proceed with the attached Notice to Fishers. The notice will be issued directly to licence holders in LFA 27 who fish in the specific portion of LFA 27, adjacent to LFA 26B, sent via email by the Area Chief, Resource Management in the ENS Area Office (Lorne Penny). I also attached a map of the LFAs for quick reference, if needed.

Background:

- The Gulf Region has implemented a protocol for the dynamic closures of fisheries in three areas of the Gulf of St. Lawrence which have been identified as possible foraging areas for North Atlantic Right Whales (NARW). The

protocol will involve closing specific areas to fixed gear fishing for a minimum of 15 days if an NARW is observed. The protocol was communicated to Gulf-based lobster licence holders on April 24, 2018, and to Quebec-based licenced holders via a notice on the DFO website.

- One of the foraging areas – approximately four grid cells – overlaps with Lobster Fishing Area (LFA 27), which extends into the Gulf of St. Lawrence. LFA 27 opened on May 15th.
- Maritimes Region is also considering a dynamic closure protocol which has been sent to the Minister's Office for decision.

Considerations:

- There have not been consultations in LFA 27 specifically on the dynamic closure protocols. (Five Indigenous groups hold lobster licences in LFA 27: Membertou, Waycobah, Wagmatcook, Chapel Island, Native Council of Nova Scotia.)
- Lobster licence holders in adjacent LFAs (22, 24 and 26B) would likely consider it unfair if all fixed gear activity within the same foraging area is not subject to similar conservation measures
- On May 15, 2018, one NARW was confirmed in LFA 27 and there were several others unconfirmed, but presumed to be NARW, sighted in the area. This has led to heightened surveillance and monitoring of the area.

Action required May 16, 2018:

- The attached Notice to Fish Harvesters will be distributed to LFA 27 licence holders to advise them of the situation and that the confirmation of NARW in a portion of their LFA will result in a dynamic closure.

Thanks,
Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

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**Pages 880 to / à 885
are duplicates of
sont des duplicatas des
pages 780 to / à 785**

Waters, Christa

From: Daley, Annette
Sent: May-25-18 10:25 AM
To: Berthier, Jacinta; Waters, Christa; Sweet, Marilyn; Merriman, Catherine B
Subject: FYI: Fishing Closures to protect NARW - Questions and Answers

Annette Daley
A/Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Annette.Daley@dfo-mpo.gc.ca |
Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directrice régionale par interim, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Annette.Daley@dfo-mpo.gc.ca |
Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>
Sent: Friday, May 25, 2018 9:46 AM
To: LeCouffe, Marc; Blanchard, Tony; Berthier, Jacinta; Gros-Louis, Denis; Van Bommel, Alexis
Cc: Lambert, Robert; Daley, Annette; Doucet, Serge; Lemire, Maryse; Gilchrist, Brett; Landry, Melissa
Subject: RE: Fishing Closures to protect NARW - Questions and Answers

Generally yes....The information is the direction we are taking and while the AUTOMATIC closure components are straight forward there is still a component of "Mgt discretion" for the scenario's involving "open waters" outside of identified zones that will be evaluated on a case by case bases.

From: LeCouffe, Marc
Sent: Friday, May 25, 2018 8:16 AM
To: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Blanchard, Tony <Tony.Blanchard@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Gros-Louis, Denis <Denis.Gros-Louis@dfo-mpo.gc.ca>; Van Bommel, Alexis <Alexis.VanBommel@dfo-mpo.gc.ca>
Cc: Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>; Landry, Melissa <Melissa.Landry@dfo-mpo.gc.ca>
Subject: RE: Fishing Closures to protect NARW - Questions and Answers

Thank you Randy,

Can we share this information with user groups? Questions could come today...

Marc

From: Jenkins, Randy

Sent: Thursday, May 24, 2018 6:16 PM

To: Blanchard, Tony <Tony.Blanchard@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; LeCouffe, Marc <Marc.LeCouffe@dfo-mpo.gc.ca>; Gros-Louis, Denis <Denis.Gros-Louis@dfo-mpo.gc.ca>; Van Bommel, Alexis <Alexis.VanBommel@dfo-mpo.gc.ca>

Cc: Lambert, Robert <Robert.Lambert@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Lemire, Maryse <Maryse.Lemire@dfo-mpo.gc.ca>; Gilchrist, Brett <Brett.Gilchrist@dfo-mpo.gc.ca>; Landry, Melissa <Melissa.Landry@dfo-mpo.gc.ca>

Subject: Fishing Closures to protect NARW - Questions and Answers

FYI... We have been receiving requests for clarifications on the closures and area of application. So that we are all on the same page I have put together a few questions and answers.

- 1) If a NARW is sighted within the fisheries management STATIC CLOSURE box, close to the boundary does this trigger a potential closure of area (grids) outside the STATIC box?
 - a. NO. As long as the whale remains anywhere within the boundaries of the STATIC closure box there is no need to close areas (grids) adjacent to the Static box.
- 2) IF a NARW is sighted in the Area designed as a "Dynamic Management Area" does this mean that the non-tended fixed gear fisheries must close and remove their gear from the water.
 - a. YES. NARW sighted within a defined dynamic management area trigger an AUTOMATIC closure for all non-tended fixed gear fisheries that are ongoing **within** the Dynamic Management area within a maximum 9 grid box surrounding the whale. (It is possible that these closures will overlap fisheries managed in 2 or more regions so all regions implicated will have to issue Variation Orders and applicable Notice to Fishers. Barring weather/safety issues the harvesters will have 48 hours to remove fishing gear.)
- 3) IF a NARW is sighted in the Area designed as a "Dynamic Management Area" that is near the boundary of the dynamic closure area and an area not subject to automatic closure does this mean that the non-tended fixed gear fisheries must close and remove their gear from the water in the grids that fall **OUTSIDE** of the dynamic management area.
 - a. NO... not automatically. The automatic closure protocol only applies to the grids that fall inside the dynamic management area not the grids that fall outside of the Dynamic closure area. **HOWEVER** the adjoining grids outside the dynamic zone may also be closed if it is deemed necessary to do so by the RD committee... this decision would follow the same RD vetting process as if a whale was spotted in an area outside dynamic closure zones (depends on amount of gear in water, type of gear, assessment of overall situation etc etc).
- 4) Do the closure grids extend into areas where the water depths are less than 20 fathoms of water if a NARW is sighted in the Area designed as a "Dynamic Management Area" that is near the 20 ftm contour?
 - a. YES. The protocol of the 9 grid closure around the whale for 15 days apply **REGARDLESS** of the water depth.

MacLellan, Elizabeth

From: Prall-Dillman, Sheila
Sent: May-25-18 3:23 PM
To: Burns, Adam; Daley, Annette; Doucet, Serge; Elizabeth Werszko; Elizabeth; Gaudet, Julien D; Goetze, Darren; Humphrey, Donald; Jackson, Ashley; King, Rhea L; Lambert, Robert; Landry, Jean; Laverdure, Louise; Lemire, Maryse; Michelle Saunders; Perry, Jacqueline; Stewart, Julie; Valkenier, Mary-Ellen; Vézina, Alain; Vincent, Patrick; Winfield, Nicholas; Burr, Linda; Berthier, Jacinta; Tracy Chatman; Lim, Kingson (Kingson.Lim@tc.gc.ca); Dwyer, Judy
Cc: Bellfo, Elyse; Bois, Lucie; Butler, Annette; Couturier-Dubé, Geneviève; D'Amours, Kristen; Gagné, Danie; Hébert, Linda M; Ivany, Zarinah; Macdonald, Gillian; Narcisse, Fabiola; Neary, Lynn; Pellerin, Patricia
Subject: For Review: Draft RD - ASC for NARW May 23, 2018 / Pour examen: Ébauche de CR - CDA pour BNAN le 23 mai 2018
Attachments: Draft Record of Discussion - ASC for NARW May 23 2018 (2018-05-25).docx
Follow Up Flag: Follow up
Flag Status: Completed

Good afternoon,

For your review, attached is the draft Record of Discussion from the meeting of the Atlantic Steering Committee for North Atlantic Right Whale on May 23, 2018. Please advise if you have any edits to the record by May 31, 2018. Thank you.

Pour votre examen, vous trouverez ci-joint le compte rendu des discussions de la réunion du Comité directeur de l'Atlantique sur la baleine noir de l'Atlantique Nord le 23 mai 2018. Veuillez me dire si vous avez des modifications d'ici le 31 mai 2018.

Merci, et bonne fin de semaine.

Sheila

Sheila Prall Dillman
Senior Policy Advisor, Policy & Economics
Fisheries and Oceans Canada | Government of Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Telephone: (902) 401-3713

Conseillère principale en politiques, Politiques et services économiques
Pêches et Océans Canada | Gouvernement du Canada
Sheila.Prall-Dillman@dfo-mpo.gc.ca | Téléphone: 902-401-3713

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Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on May 23, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Mary-Ellen Valkenier	Regional Director General (Chair)
Jacinta Berthier	Director, Resource and Aboriginal Fisheries Management
Rhea King	Regional Director, Ecosystems Management
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Gulf Region	
Serge Doucet	Regional Director General
Marc LeCouffe	Director, Resource and Aboriginal Fisheries Management
DFO Newfoundland and Labrador Region	
Robert Lambert	A/Regional Director, Fisheries Management
DFO National Headquarters	
Adam Burns	Director General, Fisheries Resource Management
Randy Jenkins	A/Senior Director, Integrated Resource Management
Darren Goetze	Director General, Conservation & Protection
Jean Landry	Director, Fish Population Science
Linda Burr	Species at Risk Biologist, Species at Risk Program
Transport Canada	
Tracy Chatman	Marine Safety Policy Advisor
Elizabeth Wersko	A/Manager, Safety Policy and International Engagement
Kingson Lim	Senior Policy Analyst

	TOPIC	LEAD
1.	Welcome and Introductions Review Record of Discussion	Mary-Ellen Valkenier
The Record of Discussion from the meeting on May 9, 2018, was reviewed secretarily.		
2.	Research, Risk Assessment and Monitoring	Jean Landry
Jean Landry provided an update that emails had been distributed to management about the completed and planned survey flights. Science's flights last week were over the Roseway Basin and Bay of Fundy and they planned		



flights over the Gulf of St. Lawrence for the next few days. On Saturday May 19, 2018, an observer on Conservation & Protection's (C&P's) flight observed whales in the Gulf of St. Lawrence and it triggered the protocol for a fisheries closure. From Science's perspective, the reaction to the presence of whales worked relatively well although there were a few gaps that Science is working with Fisheries Management to address.

3. **NARW Protocol Reminders**

Adam Burns

s.21(1)(b)

Information Flow Protocol for Fisheries Management

In the previous week, there were two sightings of whales in Canadian waters. The first on May 15th was off Cape Breton in an area not subject to closure protocols. The second on May 19th was in the Gulf of St. Lawrence in an area subject to dynamic closures, north of the static closure. Overall, the protocols were followed and the system worked quite well. However, there are areas for improvement and some questions to discuss.

For Action:

Communications across regions

There was a question on whether the implicated region should do analysis prior to the national working group meeting. In the protocol, the national working group meets immediately after the daily sightings map is issued so that consistent decision rules are applied across the regions, especially when there are harvester groups that are implicated across regions. For example, Lobster Fishing Area 27 crosses the Maritimes and Gulf Regions; Crab Fishing Areas in 4T cross the Gulf and Quebec Regions. There was also a question about which region should lead in those situations.

It was agreed that when there is some ambiguity about which region should take the lead for sightings in areas that are not subject to closure protocols, Adam Burns will organize a conference call among the Regional Directors of Fisheries Management and they will decide together which region should lead. It was noted that a section has been added to the template for the Situation Report for regions to document any decisions being taken.

Timeliness of communications with the Minister's office

Communications with the Minister's office went well, but the timeliness could be improved. It took a little longer than expected to receive approval to issue the Variation Order and then to delay the closure (due to safety concerns with harvesters removing traps in strong winds). The Minister's office confirmed approval of the delay in 3 hours,

Adam Burns will discuss this further with Sylvie LaPointe.

Timing of Science validating C&P's sightings

There was also a delay related to Science being asked to validate the sightings by C&P. The observers for C&P are trained and are considered a trusted source, but they wanted to ensure there were no mistakes. To avoid delays, C&P can email pictures to Science from the plane when they have a sighting, rather than waiting to land. (Waiting to land caused a 2-hour delay.) On the weekends, C&P can email pictures to four identified scientists. One of them will be on-call and will quickly validate the sighting. If needed, Science can double-check C&P's sightings in parallel with Fisheries Management taking initial steps to implement management measures. Adam Burns and Darren Goetze will follow-up to confirm these procedures.

Timing of uploading data to WhaleMap

There was a discussion on whether the posting of sightings on the public version of WhaleMap could be delayed to allow the Minister to be briefed and for him to be the lead in informing the public. WhaleMap is populated from the same database that is used to create DFO's daily sighting reports and to plan the next days' survey flights; so delays in uploading sightings to the database will also delay these processes. Marine Mammal Observers upload their data when their flights land. This may be in the evening, so asking them to wait a certain number of hours may mean uploading data during the night. Observers with other organizations also post their data to WhaleMap, and they would be aware that sightings were delayed because there are emails whenever there is a sighting.



Adam Burns will propose to Sylvie LaPointe that the Minister's office be briefed on the sequence of events, that WhaleMap will be updated with sightings before the Minister can tweet the update, although the Minister will remain the lead for communicating on behalf of the department. Adam Burns will report back on any changes, but otherwise the current approach will be maintained.

4. NARW Working Group – Review of Terms of Reference

Adam Burns

The NARW Working Group has met, the members are clear on their role, and a Terms of Reference will be established. However, a draft Terms of Reference is not available yet, so the review was deferred.

5 Fisheries Interactions

Jacinta Berthier
Marc LeCouffe

Response to sighting in the Maritimes Region

Jacinta Berthier provided an update that the sighting on May 15th allowed the Maritimes Region to test the protocols. There were some opportunities to align more with the protocols in terms of timing but staff worked well together across Fisheries Management, C&P and Science. It highlighted the importance of receiving advance notice so the region can begin work and send some initial analysis to avoid delays when the national working group meets the next day. The timing of the one-page report with the details of where the whale is sighted and which fisheries are active, with version control, is also important to support communications with the Regional Director General and the Minister's office.

Response to sighting in the Gulf Region

Marc LeCouffe provided an update that the response to the sighting on May 19th went relatively smoothly. There was good communication between the Gulf and Quebec Regions on how to proceed. The only delay was in receiving approvals from NHQ. It was very helpful to have procedures defined beforehand. A post-mortem will be held between Gulf and Quebec Regions on May 24th. The fishing industry was not happy that the dynamic closure had to be done but they were not surprised by it.

Impact of closures on landings

With respect to the impact of the statistic closure on the active fisheries, Marc LeCoffe advised that the snow crab landings are about 10% lower than 2 years ago at this point in the season. This is in line with the department's estimate of a 20% decrease by the end of the season. The crab harvesters are not happy with this year's landings because it was a bumper year (with increased quota) in 2017. For the lobster fishery, the landings have approximately doubled in the area that harvesters moved to as a result of the closure.

Memorandum to the Minister

Jacinta Berthier provided an update that the Maritimes Region put forward a briefing note to the Minister and a call was held with the Minister's office last week [REDACTED]

As next steps, the Maritimes Region will follow-up with stakeholder groups that are actively fishing to discuss the management measures that DFO is proposing to take, how the industry would be advised and how they would potentially be affected. This follows previous engagement sessions with the fishing industry in the fall of 2017 and March 2018. The Scotia-Fundy Fishing Industry Roundtable will also be engaged.

6. Marine Mammal Response Program (MMRP)

Adam Burns
Marc LeCouffe

Contribution Agreements with Response Organizations

Adam Burns confirmed that all of the Contribution Agreements with third-party providers for the MMRP are in place or will be shortly.

*MMPR Moncton Hub*

For the Moncton Hub of the MMRP, Marc LeCouffe confirmed that a CO-01 position has been staffed to begin on June 28, 2018, [REDACTED] Adam Burns advised that their first order of business will be to establish protocols for responding to incidents via the Hub. The interim procedures with regional Marine Mammal Coordinators should continue to be followed, as the Hub employees will not be ready to provide significant functions for this season, i.e., before the crab fishery closes.

7. Shipping Interactions

Tracy Chatman

Status of mandatory slow-downs

Tracy Chatman provided an update that sections A and D are open and sections B and C are at 10 knots. The latter slow-down was implemented because Transport Canada could not complete two clear survey flights. One flight was completed yesterday over all four sections and they will try to complete another over the next few days. Transport Canada will then open all sections to safe operational speeds.

Compliance statistics

The Canadian Coast Guard monitors compliance with speed restrictions and Transport Canada investigates each occurrence to determine whether or not further action is required. There have been 566 transits of vessels 20 metres or above in the static area and dynamic shipping lanes. Of the 60 infractions over 10.0 knots, Transport Canada has reviewed and closed 33, is still reviewing 26, and has issued 1 Notice of Violation.

Staffing change

Tracy Chatman is moving to new position at Transport Canada and her manager, Elizabeth Wersko, will be the new contact for the Atlantic Steering Committee.

8. Other Business

Serge Doucet

Randy Jenkins

New Roundtable on NARW

Serge Doucet advised that the DFO Area Office in Tracadie, New Brunswick, is leading a new Roundtable on NAWR with processors and harvesters from the Gulf and Quebec Regions. It will have conference calls every Friday for DFO to provide current information and to receive information from the industry on landings and what they are seeing in the Gulf of St. Lawrence. The Gulf Region will update the Atlantic Steering Committee on these discussions with industry on an ongoing basis.

Whale Alert email distribution list

Randy Jenkins asked that the Regional Directors of Fisheries Management review new names put forward for the Whale Alert email distribution list to confirm if they should be included or not. This will avoid an ad hoc approach in the distribution of daily sighting reports. This approach was supported by the committee.

8. Next Meeting

The next bi-weekly meeting of the Atlantic Steering Committee will be on June 6, 2018.

s.21(1)(b)

Caines, Allison

From: Schaefer, Heidi
Sent: Monday, May 28, 2018 6:56 PM
To: Humphrey, Donald
Subject: Fw: Maritimes Regional Right Whale Incident Management Team
Attachments: Maritimes_NARW_RIMT_May2018.pdf

FYI. Didn't realize this group had a mandate beyond advising on fisheries management options when whales are sighted?

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>
Sent: Monday, May 28, 2018 6:07 PM
To: Sweet, Marilyn; Labelle, Mark; Coffen-Smout, Scott; Emery, Pamela; Buott-Matheson, Debra; Pye, Brad; Waters, Christa; Schaefer, Heidi
Cc: Hastings, Katherine; Ibarra, Diego; Moors-Murphy, Hilary; Hendsbee, Gavin; Hayden, Jazmine; Dionne, Jeff J; Cheney, Sarah; Surette, Dwayne E; Lent, Jemie; Penny, Lorne; Langille, Janet; Emin, Brian; Sperry, Chris; Horne, Donald; Morash, Paul; Phillips, Scott; Quigley, Sara; Hayman, Timothy; Doherty, Penny; Fraser, Matthew J; Somerville, Todd
Subject: Maritimes Regional Right Whale Incident Management Team

Hi all,

If you are in the "to" field, you are identified as a member of the 'core group' of this regional team (and most of you have attended a couple of meetings already).

If you are in the "cc" field, you have been identified as an alternate to one of the people in the core group or an 'as required' member of the group, depending on the nature and location of the incident under discussion.

The attached brief document outlines the principles and functions of this group, which we have mentioned during the meetings we have held so far. In light of the lack of risk tolerance for right whales deaths in Atlantic Canada, this 'Regional Incident Management Team' (RIMT) is in place to address three types of incidents related to right whales in Maritimes Region:

1. Right whale detections (visual or acoustic) in or near active fishing areas, and in right whale critical habitat (CH);
2. Right whale entanglement;
3. Right whale carcass observed, at sea or beached.

(The name RIMT derives from Canadian Coast Guard terminology influenced by Incident Command System principles; ICS is a set of principles and practices adopted by many Canadian organizations including CCG, and that DFO is increasingly into its operations.)

If you have any questions or comments about the document or your role in the group, please let me know.

Thanks
Cathy

Cathy Merriman MSc

A\Senior Advisor | Conseillère principale
Fisheries Management | Gestion des pêches
Maritimes Region | Région des Maritimes
Fisheries and Oceans Canada | Pêches et Océans Canada
1 Challenger Dr | 1 promenade Challenger
Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2
(902)-401-8437
catherine.merriman@dfo-mpo.gc.ca

Maritimes Region North Atlantic Right Whale Incident Management Plan

This document outlines the plan for a Regional Incident Management Team (RIMT) to prepare for, and support, response to incidents involving north Atlantic right whales in Maritimes Region. The Team will undertake planning to prepare DFO and CCG for right whale presence in and near active fishing areas, and will support decision-making for current and future incident response in the case of entanglement or mortality of right whales in Maritimes Region.

Three categories of potential right whale incident are anticipated within Maritimes Region in 2018:

1. Right whale detections (visual or acoustic) in or near active fishing areas, and in right whale critical habitat (CH);
2. Right whale entanglement;
3. Right whale carcass observed, at sea or beached.

The Team will support the effective functioning of the Incident Commander (IC, as per Incident Command System terminology) in the field during response to an incident, including field response to incidents of entanglement and mortality e.g. resolving issues that are beyond the capacity of the incident commander, coordinating regional resources, coordinating with partner agencies and stakeholders.

Incident Management Team Objectives

1. When right whale sightings or incidents occur, use DFO expertise to identify areas of right whale entanglement risk, based on sightings information and current fishing activity.
2. Provide timely advice to the National "NARW Working Group" (Appendix 1) which will meet daily as needed, in response to right whale sightings in Maritimes Region.
3. The national group will provide advice to the Regional Director of Fisheries Management and Maritimes Region Regional Director General for fishery management response or incident response, reflecting the protocols developed for incident response (and held by the Marine Mammal Coordinator).

Procedures

- Meet as frequently as necessary to review right information relevant to sightings or incidents
- Sightings: review map of sightings overlaid with current fishing activity data, to identify current and imminent areas of entanglement risk.
 - Confirmed right whale detections provided daily by Science or by C&P
 - Maps of fishing vessel VMS data prepared by OCMD
 - Information from Fishery Advisors about currently active, and approaching, fishing seasons
- By liaising with the surveillance planning group, this Team can anticipate planned surveillance flights and be aware of fishing that will be active in areas where right whales may be sighted during the coming days.
- Prepare advice to RD Fisheries Management recommending management measures or response as necessary.
- Advise RD of any presence or activity of right whales that requires further discussion or examination, which will trigger the following steps according to the national information flow protocol:
 1. The RD sends notification via the Whales Alert Email Distribution List (Annex 1)
 2. A teleconference is convened with Atlantic RDs and DG FRM (NHQ/FRM is secretariat)
 3. A review of the situation is undertaken and a decision on action (if any) taken.
 4. Appropriate action initiated (and update provided to Whales Alert Email distribution)

Outputs

- **Map** identifying risk areas, and management measures put in place if applicable.
- **Situation Report** within one hour, or as soon as possible after the meeting ends, to RD and RDG, summarizing information and presenting fishery management advice for reducing right whale entanglement risk, or other action as appropriate.
- Communications products when necessary: Notices to harvesters, media lines, social media, identify spokesperson for media interviews as needed

Maritimes Region North Atlantic Right Whale Incident Management Plan

May 28, 2018

Group composition:

DFO staff are assigned to this group based on their expertise. Core Group are staff whose expertise is required on each call in response to any of the three incident types. Area Office staff will be required if the incident in question takes place within their area, and Senior Advisors for specific fisheries will be required when an incident involves one of their fishing areas or fishing gear from one of their fisheries.

Name	Sector	Alternate	Role / Expertise (<i>italics reflect ICS terminology</i>)
Core Group			
Cathy Merriman	Resource Management	Marilyn Sweet	(<i>Planning Coordinator</i>) Chair
Marilyn Sweet	Resource Management / Species at Risk	Christa Waters, Cathy Merriman <i>On some weekends, Alan Reeves, Tim Hayman</i>	(<i>Team leader</i>) Liaise with relevant Fishery Advisors, Directors
Christa Waters (A/ Manager)	Resource Management	Marilyn Sweet	(<i>Deputy team leader</i>) Liaise with Directors
Heidi Schaefer	Species at Risk Management	Katie Hastings	(<i>Subject Matter Expert</i>) Provide SARA context including entanglement action plan
Pam Emery	Science	Hilary Moors-Murphy	(<i>Subject Matter Expert</i>) Sightings data; Liaise with the Surveillance Planning Team
Brad Pye	C&P, Enforcement	Gavin Hendsbee	(<i>Subject Matter Expert</i>) Liaise with C&P, Surveillance Planning Team
Mark Labelle	C&P, Policy and Regulatory Development	Scott Mossman	Regulatory, compliance, legal advice (<i>Legal Advisor</i>)
Debra Buott-Matheson	Communications	Jazmine Hayden	<i>Communications Coordinator</i> , media, social media
Scott Coffen-Smout	OCMD	Diego Ibarra	(<i>Subject Matter Expert</i>) Provide and interpret daily VMS maps
Area Offices – as required			
Sarah Cheney	Resource Management, SWNB area office	Jeff Dionne	Provide information about current fishing activity, liaise with industry and community.
Dwayne Surette	Resource Management, SWNS area office	Jemie Lent	Provide information about current fishing activity, liaise with industry and community.
Lorne Penny	Resource Management, ENS area office	Janet Langille	Provide information about current fishing activity, liaise with industry and community.
Todd Somerville	C&P, SWNB area office		Advise on C&P role, support etc.
Chris Sperry	C&P, SWNS area office	Brian Emin	Advise on C&P role, support etc.
Donald Horne	C&P, ENS area office	Paul Morash, Scott Phillips	Advise on C&P role, support etc.
Fishery Advisors – as required			
Sara Quigley	Lobster, Hagfish, Whelk	Manager or area office	Provide information about current fishing activity, liaise with industry.
Tim Hayman	Snow Crab	Manager or area office	Provide information about current fishing activity, liaise with industry.
Penny Doherty	Groundfish	Matt Fraser Manager or area office	Provide information about current fishing activity, liaise with industry.

May 28, 2018

Maritimes Region North Atlantic Right Whale Incident Management Plan

Appendix 1: National / Zonal "NARW Working Group", formed April 2018

Purpose: Daily phone calls to review right whales sightings information and make decision(s) & recommendation(s) based on information about right whale sightings and current fishing activity. First call planned for 10 a.m. (Eastern) on 8 May 2018.

Name	Sector	Region
Randy Jenkins	Resource Management	NHQ
Brett Gilchrist	Resource Management	NHQ
Isabelle Elliott	Resource Management	Gulf
Antoine Rivierre	Resource Management	Quebec
Marilyn Sweet	Resource Management	Maritimes
Jackie Keane	Resource Management	NL
Jody McRory	Resource Management	NHQ
Kendra Moore	Resource Management	NHQ
Melissa Landry	Resource Management	NHQ
Alexis Van Bommel	Resource Management	NHQ
Simon Nadeau	Science	NHQ
Christine Abraham	Science	NHQ
Jean Landry	Science	NHQ
Josée Annie Verville	C&P / Enforcement	NHQ
Corina Busby	Species At Risk	NHQ
Cathy Merriman	Species at Risk	Maritimes

Van Bommel, Alexis

From: Jenkins, Randy
Sent: May-30-18 8:23 PM
To: Gilchrist, Brett; Van Bommel, Alexis
Subject: Fw: NARW sighting / Observation baleine noire - 30 May 2018

Fyi

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Sent: Wednesday, May 30, 2018 19:33
To: Jenkins, Randy
Cc: Sweet, Marilyn
Subject: Re: NARW sighting / Observation baleine noire - 30 May 2018

I think it is in 33, but both close Friday. We would propose a closure, or at minimum a notice to harvesters to exercise caution, then monitor in following days to see if this one like all the others made the same transit as the others now in the Gulf, but we saw this one, and only 1 other on the Scotian Shelf or elsewhere outside the Gulf.

We also have our first Round 2 of engagement starting with the Scotia Fundy Roundtable tomorrow at 3PM. Would be good to have that as an opportunity to test the approach by consulting in real time with the Industry before making a recommendation to the Minister.

JB

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Jenkins, Randy
Sent: Wednesday, May 30, 2018 6:09 PM
To: Berthier, Jacinta
Cc: Van Bommel, Alexis
Subject: RE: NARW sighting / Observation baleine noire - 30 May 2018

Jacinta,

I was looking through your proposed draft protocol that you previously sent along.... While it is not approved as "automatic" application if I understand correctly, if there are active fisheries ongoing in the critical habitat area then the region would be recommending a dynamic grid closure (same principal as the Gulf). BTW/// Is the current sighting in LFA 33 or 34? I think they are closing tomorrow 33 and 34 anyway (at least according to my reference chart). It will make for an interesting call tomorrow. If closure is recommended will need to draft a Notice To Harvesters to vet through Mino.

Randy

From: Berthier, Jacinta
Sent: Wednesday, May 30, 2018 4:24 PM
To: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>
Cc: Van Bommel, Alexis <Alexis.VanBommel@dfo-mpo.gc.ca>
Subject: RE: NARW sighting / Observation baleine noire - 30 May 2018

Thanks for sending the information along. Marilyn noted the sighting and we will discuss in the AM. Unfortunate that we don't have clearly defined criteria as in the Gulf zones, but we will discuss this case specifically in the morning before the national WG call.

JB

From: Van Bemmell, Alexis
Sent: Wednesday, May 30, 2018 5:14 PM
To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: FW: NARW sighting / Observation baleine noire - 30 May 2018

...And another one

From: Sitcen HQ / Centre d'intervention AC (TC) [<mailto:TC.SitcenHQ-CentredinterventionAC.TC@tc.gc.ca>]
Sent: May-30-18 3:45 PM
To: Weldon, Jane; Wilson-Demuth, Brinda; Nazha, Naim; Tremblay, Luc; Brisebois, Luc; Ryan, Aiden; MSS Questions / Questions SSM (TC/TC); Sewelam, Ahmed; Lavoie, Alexandre; Armstrong, Louis; Pemberton, Colleen; Munn, R; Boulianne, Michel; Gifford, Kathleen; Rogers, Marty; 'fernando.mojica@tc.gc.ca'; 'john.madower@tc.gc.ca'; Balaban, Mihai; Vallée, Paul-Denis; Elahi, Towfiq; Werszko, Elizabeth; Ratelle, Stephanie M; Elliott, Michael S; Keenan, Michael; Lim, Kingson; DL OTT AE Marine / AE Maritime LD OTT (TC); DL OTT AE MEDIA MONITORING - SUIVI MÉDIATIQUE; McCoy-Astell, Sofie; Lavoie, Carine; Des Lauriers, Manon; Roy, Jacqueline; Lapointe, Sylvie; Patrick, Lindsey; Burns, Adam; Jenkins, Randy; Gilchrist, Brett; Landry, Melissa; Goetze, Darren; Dwyer, Judy; Quinn, Frank; Lemire, Maryse; Lambert, Robert; Jackson, Ashley; Landry, Jean; Nadeau, Simon; Abraham, Christine; Elliott, Isabelle; Sweet, Marilyn; Kean, Jackie; Rivierre, Antoine; Verville, Josée Annie; Sanders, Michelle; Charron, Michel; Van Bemmell, Alexis; 'msswhales-baleinessm@tc.gc.ca'; Faubert, Diane; Lawson, Jack; Hammill, Mike; Harvey, Valérie; Gosselin, Jean-Francois; Moors-Murphy, Hilary; Vanderlaan, Angelia S.; Bliss, Doug; Hardy, Matthew A (Moncton); McDermid, Jenni; Lim, Kingson; MacDonald, Lori; Hanson, Lawrence; Rascenin, Natasha; Pham, Thao; Welsh, Haley; 'msswhales-baleinessm@tc.gc.ca'; Daley, Annette; Currie, Gerry; Brackenridge, Jimmy; Little, Jennifer; 'ec.earmatl-martatl.ec@canada.ca'; 'ec.earmcen-martcen.ec@canada.ca'
Subject: NARW sighting / Observation baleine noire - 30 May 2018

At 15:15 ET, 30 May 2018, the Transport Canada Situation Centre has received information regarding a right whale verified sighting by TC 922. The last known location was 47°52.02N 64°12.28W, 47°52.01N 64°12.99W, 47°51.25N 64°13.91W, 47°51.25N 64°13.91W, 47°48.55N 64°14.80W, 47°48.53N 64°14.94W. Please find attached in this email an approximate geographical location.

À 15h15 HE, 30 mai 2018, le centre d'intervention de Transports Canada a reçu de l'information concernant l'observation confirmé d'une baleine noire par TC 922. Le dernier emplacement connu est 47°52.02N 64°12.28W, 47°52.01N 64°12.99W, 47°51.25N 64°13.91W, 47°51.25N 64°13.91W, 47°48.55N 64°14.80W, 47°48.53N 64°14.94W. Veuillez trouver joint à ce courriel un emplacement géographique approximatif.

Transport Canada Situation Centre
Emergency Preparedness – Operations, Transport Canada
TC.SitcenHQ-CentredinterventionAC.TC@tc.gc.ca
Tel. 613.995.9737 or toll-free 1.888.857.4003
TTY: 1.888.675.6863

Centre d'intervention de Transports Canada
Préparatifs d'urgence – Opérations, Transports Canada
TC.SitcenHQ-CentredinterventionAC.TC@tc.gc.ca
Tél. 613.995.9737 ou sans frais 1.888.857.4003

ATS : 1.888.675.6863



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Merriman, Catherine B

From: Merriman, Catherine B
Sent: May-30-18 4:28 PM
To: Sweet, Marilyn
Subject: FW: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

The answer is Yes, yes?

From: Waters, Christa
Sent: May-28-18 4:09 PM
To: Sweet, Marilyn; Merriman, Catherine B; Penny, Lorne
Subject: FW: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hello,
Just wondering if we did this yet?
Thanks,
Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

From: Berthier, Jacinta
Sent: May-24-18 12:08 PM
To: Waters, Christa; Sweet, Marilyn; Quigley, Sara; Penny, Lorne
Cc: Merriman, Catherine B; Daley, Annette; Gentile, Paul
Subject: RE: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hello All,

This matter was raised on today's briefing with the MINO staff. It was clarified that this would affect a small portion of the Maritimes Region LFA 27 fishing area, 3-4 grid boxes overlap.

MINO asked if a triggered closure in that dynamic area may result in a broader closure into LFA27. I noted that the dynamic management measures apply only to those boxes at this time. However, I pointed out that as part of our follow-up (round 2) engagement with stakeholders to discuss management options such as dynamic closures for CH more specifically, there will be an opportunity to seek input on possible scenarios where NARW are sighted in large numbers in active fishing areas across the Maritimes Region.

We did get the approval to proceed with notification as soon as you are able to coordinate it amongst the area and regional staff.

The next key steps will be to advance the internal procedures for a potential closure in the dynamic area – while Gulf would be the lead, the Working Group would be the place where a recommendation to close those areas based on

sightings would flow from. Therefore please work together to advance the required pre-planning work to effect any potential closures to ensure there are no regional delays and we can work closely with Gulf region counterparts on this issue.

Thanks for your patience and persistence on this matter. Please let Annette and I know when this notice will be communicated to the industry.

Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones
Pêches et Océans Canada | Gouvernement du Canada
Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

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Si vous avez reçu cette communication par erreur, veuillez en aviser l'expéditeur immédiatement et la supprimer sans l'imprimer, la copier, ou la faire suivre. Merci.

From: Daley, Annette

Sent: Thursday, May 17, 2018 1:22 PM

To: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>

Subject: Do not distribute: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Until authorized to do so. Thx

Annette

From: Wentzell, Doug

Sent: Thursday, May 17, 2018 1:07 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>

Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Annette.

Please ensure this notice is not released.

Doug

Doug Wentzell

Associate Regional Director General, Maritimes Region
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-2250 | Facsimile: 902-426-2706

Directeur général régional associé, Région des Maritimes
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-2250 | Télécopieur: 902-426-2706

From: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 12:58 PM
To: Rossignol, Pauline; Lapointe, Sylvie
Cc: Daley, Annette; Berthier, Jacinta; Wentzell, Doug; Patrick, Lindsey
Subject: RE: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

PLEASE HOLD UNTIL FURTHER NOTICE.

Ashley Butcher
DMO
613-990-0020

From: Rossignol, Pauline
Sent: Thursday, May 17, 2018 11:00 AM
To: Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Cc: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Patrick, Lindsey <Lindsey.Patrick@dfo-mpo.gc.ca>
Subject: Fw: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence
Importance: High

Hi Sylvie and Ashley, see below, for urgent approval please:

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Sent: Thursday, May 17, 2018 11:32 AM
To: Rossignol, Pauline
Cc: Daley, Annette; Waters, Christa; Penny, Lorne; Sweet, Marilyn
Subject: Notice to LFA 27 fishers _ dynamic management measures re NARW in the Gulf of St. Lawrence

Hi Pauline,

Annette planned to raise this on today's MINO call, however, given it was rescheduled and this matter has a high degree of urgency since the first sighting of a NARW this week off Cape Breton, we are seeking concurrence to proceed with the attached Notice to Fishers. The notice will be issued directly to licence holders in LFA 27 who fish in the specific portion of LFA 27, adjacent to LFA 26B, sent via email by the Area Chief, Resource Management in the ENS Area Office (Lorne Penny). I also attached a map of the LFAs for quick reference, if needed.

Background:

- The Gulf Region has implemented a protocol for the dynamic closures of fisheries in three areas of the Gulf of St. Lawrence which have been identified as possible foraging areas for North Atlantic Right Whales (NARW). The protocol will involve closing specific areas to fixed gear fishing for a minimum of 15 days if an NARW is observed. The protocol was communicated to Gulf-based lobster licence holders on April 24, 2018, and to Quebec-based licenced holders via a notice on the DFO website.
- One of the foraging areas – approximately four grid cells – overlaps with Lobster Fishing Area (LFA 27), which extends into the Gulf of St. Lawrence. LFA 27 opened on May 15th.
- Maritimes Region is also considering a dynamic closure protocol which has been sent to the Minister's Office for decision.

Considerations:

- There have not been consultations in LFA 27 specifically on the dynamic closure protocols. (Five Indigenous groups hold lobster licences in LFA 27: Membertou, Waycobah, Wagmatcook, Chapel Island, Native Council of Nova Scotia.)
- Lobster licence holders in adjacent LFAs (22, 24 and 26B) would likely consider it unfair if all fixed gear activity within the same foraging area is not subject to similar conservation measures
- On May 15, 2018, one NARW was confirmed in LFA 27 and there were several others unconfirmed, but presumed to be NARW, sighted in the area. This has led to heightened surveillance and monitoring of the area.

Action required May 16, 2018:

- The attached Notice to Fish Harvesters will be distributed to LFA 27 licence holders to advise them of the situation and that the confirmation of NARW in a portion of their LFA will result in a dynamic closure.

Thanks,
Jacinta

Jacinta Berthier

Director, Resource and Aboriginal Fisheries Management
Fisheries and Oceans Canada | Government of Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tel: 902 426-7681 | Cel: [REDACTED]

Directrice Gestion des ressources et pêches autochtones

Pêches et Océans Canada | Gouvernement du Canada

Jacinta.Berthier@dfo-mpo.gc.ca | Tél. : 902 426-7681 | Tél. cell. : [REDACTED]

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Van Bommel, Alexis

From: Gilchrist, Brett
Sent: May-31-18 12:25 PM
To: Van Bommel, Alexis
Subject: FW: MECTS-#3915057-v1-Situation_report_template_30May2018.DOCX
Attachments: MECTS-#3915057-v1-Situation_report_template_30May2018.DOCX

Importance: High

From: Sweet, Marilyn
Sent: May-31-18 11:47 AM
To: Gilchrist, Brett; Merriman, Catherine B; Elliott, Isabelle
Subject: MECTS-#3915057-v1-Situation_report_template_30May2018.DOCX
Importance: High

Hi Brett,

Few changes. We want to highlight that we are not basing our recommendation on the discussion today, but are having the meeting as was directed. The views and input from the meeting will be taken into consideration when making a decision, but the decision is not being made by the group today. Does that make sense?

Thanks!

Mar

Date: 301 May 2018
Completed by: Alexis Van Bommel

NARW Situation Report/Operational Synopsis

Current Status

Aerial surveillance

General location(s): Aerial surveys in Southern Gulf, Roseway Basin

Comments/observations: 7 NARW sighted

At-sea surveillance (Vessels/observers)

General location(s): Static area patrolled in the evening

Comments/observations: -

Weather/Sea state: Poor weather conditions

NARW Whales

Sightings: 7

Confirmed: 7

Position (long/lat.):

42°49'55.44N 65°8'53.22W (Roseway Basin) (x1)

Sightings in static zone (x6)

47°52.02N 64°12.28W

47°52.01N 64°12.99W

47°51.25N 64°13.91W

47°51.25N 64°13.91W

47°48.55N 64°14.80W

47°48.53N 64°14.94W

Entanglement: No information

Injured/dead: No information

Comments/observations:

- 1 sighting in Roseway Basin, identified as a critical habitat
- 6 sightings in Static Zone closure in the Gulf – no further management measure necessary for this sighting

NARW Incidents ongoing: (e.g., necropsy operations, ongoing marine mammal response, etc.)

Comments/observations: Nil

Management measures in place (Closures)

New management measure:

- No measures needed for Static Zone sightings
- Measures for Roseway Basin are being discussed with affected harvesters today (May 31) further direction to follow by end of day

Existing Mgmt. measures:

Dynamic closure based on May 27 sighting

- Start date: May 31
- Potential reopening: TBD

Dynamic closure based on May 26 sighting

- Start date: May 30
- Potential reopening: TBD

Date: **301 May 2018**
Completed by: **Alexis Van Bemmell**

Dynamic closure based on May 19 sighting

- Start date: May 23
- Potential reopening: TBD

TC DM slow down area: All zones open and operating at normal speeds

Comments/observations (e.g. fisheries impacted):

- Lobster fisheries (LFA 33 & 34) in area of Roseway Basin are closing today. Will be switching to groundfish fishery in the next few days.

Other comments/observations

(e.g., public reaction, media observations, industry feedback)

- Comms continuing working on WhaleMap

Upcoming – next day

Planned surveillance: Seeking to confirm follow-up flights in light of the single whale sighting in Maritimes region

At-sea: -

Comms/Media: -

Ongoing Responses/necropsies, etc.: Nil

Other: -

For Regional use:

Management measures recommended

Recommended action: A pre-planned meeting of the Scotia Fundy Roundtable is scheduled for this afternoon. Consultations with affected harvesters to take place today (May 31). Discussions will focus on NARW and possible measures that may be applied when whales are confirmed in the Maritimes, including potential management measures to be taken in light of the sighting of a single whale the yesterday's sighting critical habitat area in Roseway Basin. Additional direction to follow the meeting with harvesters by end of day. Proposed actions to be discussed on the national working group call on June 1st at 10am.

Location: Roseway Basin

Start date and time: -

Comments/observations (e.g. relevant fisheries):

Approval:

Regional Director, Fisheries Management

Date

Formatted: Superscript

Van Bommel, Alexis

From: Van Bommel, Alexis
Sent: May-31-18 12:30 PM
To: DFO.F Whale Alerts / Alertes baleines F.MPO
Subject: Daily sit rep and tracking sheet
Attachments: MECTS-#3915057-v1-Situation_report_template_30May2018.MS.DOCX; MECTS-#3917176-v1-Daily_sightings_30May2018.BG.docx

Hi all,

Please find attached the daily sit rep and tracking sheet.

Thank you,
Alexis

Alexis Van Bommel

Fisheries and Aquaculture Management Officer |
Agent, Gestion des pêches et de l'aquaculture
Fisheries and Oceans | Pêches et océans
200 rue Kent Street - 13S002A Ottawa, ON, K1A 0E6
Alexis.VanBommel@dfo-mpo.gc.ca
Telephone | Téléphone (613) 402-7832
Facsimile | Télécopieur (613) 990-7051
Government of Canada | Gouvernement du Canada

Date: 30 May 2018

Completed by: Alexis Van Bommel

NARW Situation Report/Operational Synopsis

Current Status

Aerial surveillance

General location(s): Aerial surveys in Southern Gulf, Roseway Basin

Comments/observations: 7 NARW sighted

At-sea surveillance (Vessels/observers)

General location(s): Static area patrolled in the evening

Comments/observations: -

Weather/Sea state: Poor weather conditions

NARW Whales

Sightings: 7

Confirmed: 7

Position (long/lat.):

42°49'55.44N 65°8'53.22W (Roseway Basin) (x1)

Sightings in static zone (x6)

47°52.02N 64°12.28W

47°52.01N 64°12.99W

47°51.25N 64°13.91W

47°51.25N 64°13.91W

47°48.55N 64°14.80W

47°48.53N 64°14.94W

Entanglement: No information

Injured/dead: No information

Comments/observations:

- 1 sighting in Roseway Basin, identified as a critical habitat
- 6 sightings in Static Zone closure in the Gulf – no further management measure necessary for this sighting

NARW Incidents ongoing: (e.g., necropsy operations, ongoing marine mammal response, etc.)

Comments/observations: Nil

Management measures in place (Closures)

New management measure:

- No measures needed for Static Zone sightings
- Measures for Roseway Basin are being discussed with affected harvesters today (May 31) further direction to follow by end of day

Existing Mgmt. measures:

Dynamic closure based on May 27 sighting

- **Start date:** May 31
- **Potential reopening:** TBD

Dynamic closure based on May 26 sighting

- **Start date:** May 30
- **Potential reopening:** TBD

Date: **30 May 2018**

Completed by: **Alexis Van Bemmell**

Dynamic closure based on May 19 sighting

- **Start date:** May 23
- **Potential reopening:** TBD

TC DM slow down area: All zones open and operating at normal speeds

Comments/observations (e.g. fisheries impacted):

- Lobster fisheries (LFA 33 & 34) in area of Roseway Basin are closing today. Will be switching to groundfish fishery in the next few days.

Other comments/observations

(e.g., public reaction, media observations, industry feedback)

- Comms continuing working on WhaleMap

Upcoming – next day

Planned surveillance: Seeking to confirm follow-up flights in light of the single whale sighting in Maritimes region

At-sea: -

Comms/Media: -

Ongoing Responses/necropsies, etc.: Nil

Other: -

For Regional use:

Management measures recommended

Recommended action: A pre-planned meeting of the Scotia Fundy Roundtable is scheduled for this afternoon (May 31). Discussions will focus on NARW and possible measures that may be applied when whales are confirmed in the Maritimes, including potential management measures to be taken in light of yesterday's sighting in Roseway Basin. Additional direction to follow the meeting with harvesters by end of day. Proposed actions to be discussed on the national working group call on June 1st at 10am.

Location: Roseway Basin

Start date and time: -

Comments/observations (e.g. relevant fisheries):

Approval:

Regional Director, Fisheries Management

Date

Canada - Daily record			
Date	Confirmed NARW Sighting (#)	Comments	Recommended Action
April 21	0	-	Nil
April 22	0	-	Nil
April 23	0	-	Nil
April 24	0	-	Nil
April 25	0	-	Nil
April 26	0	-	Nil
Weekly Summary	0	Week of April 13-26 (map)	Nil
April 27	0	No flights	Nil
April 28	0	No flights	Nil
April 29	0	No flights	Nil
April 30	0	Aerial flights in the dynamic shipping zones	Nil
May 1	0	No flights	Nil
May 2	0	Aerial flights in Cabot Strait	Nil
May 3	0	Aerial surveys in Bay of Fundy, South Shore of NS, Western Anticosti Island, Parent Bank, Honguedo Strait	Nil
Weekly summary	0	Week of April 20 – May 3 (Map)	Nil
May 4	0	Aerial Survey of Scotia Shelf, Grand Banks	Nil
May 5	0	Aerial Survey of Scotia Shelf	Nil
May 6	0	Aerial surveys in West of PEI, Southern Nfld, Eastern NS, Scotian Shelf	Nil
May 7	0	Aerial Surveys North of PEI, Southern Nova Scotia, Scotian Shelf	Nil
May 8	0	Aerial surveys of South Shore of Nova Scotia, Roseway Basin, Western Newfoundland, Grand Banks, shipping lanes to the north and south of Anticosti Island	Nil
May 9	0	Aerial surveys Southern Newfoundland, Scotia Shelf, West of Anticosti Island (3L, 3PS, 4X4W)	Nil
May 10	0	Aerial surveys in Bay of Chaleur, Western Anticosti Island, Western Newfoundland	Nil

May 11	0	South Shore Nova Scotia, Scotian Shelf, Eastern Newfoundland	Nil
May 12	0	West of Anticosti Island, Western Newfoundland	Nil
Sunday May 12 (13)	0	Dynamic Shipping Zones A, B, C; West of Anticosti Island; Gaspé Peninsula; Bay of Fundy; Scotian Shelf	Nil
May 14	0	No sightings	Nil
May 15	1	Not in a known foraging area ~480 licences for crab and lobster authorized in this area, but not all active today – no groundfish Only one confirmed NARW with good picture Two other whales sighted in area but to be confirmed C&P flight returning but poor weather rolling in We do have a record of an entanglement of NARW in this area in the past (2015) according to SARA Will continue to monitor Sending message to RD with notes from NARW WG	As the whale is not in a known foraging area, and there is only 1 confirmed sighting at this time, no action is required.
May 16	0	No update on movement or other details from yesterday. Scheduled C&P flight for this afternoon has been moved to this morning in light of better weather. Aerial surveys in the following areas reported NO NEW NARW sightings: Eastern Gaspé, Eastern & Western Cape Breton, Grand Banks, Eastern Nfld	As there is no new information, it is recommended the approach taken on the 15 continue, i.e. no action required at this time.
May 17	0	No Sightings Aerial surveys in Bay of Fundy, Eastern Cape Breton, Grand Banks	No sightings No action required at this time
May 18	0	No Sightings Aerial surveys in Bay of Fundy, Grand Manan Basin, Scotia Shelf, Grand Banks	No sightings No action required at this time
May 19	2	Aerial surveys north of Static Fisheries Management area- within area subject to temporary closure area reported 2 confirmed NARW	Dynamic Management Area implemented. 3x2 grids closed (other 3 grids are in static zone). Awaiting confirmation of VO for snow crab

		sightings.	fisheries. Other fixed gear fisheries for Turbot and lobster that have access to the 3x3 grid being reviewed but not considered active in the area at this time.
May 20	0	Aerial surveys in Eastern Newfoundland reported no NARW sightings	No sightings No action required at this time
May 21	0	Aerial surveys in Eastern Shore Nova Scotia, South Shore Nova Scotia, Roseway Basin and Grand Banks reported no NARW sightings	No sightings No action required at this time Closure to be established May 22 extended to May 23 due to poor weather conditions
May 22	0	Aerial surveys in South Shore of Nova Scotia, Scotian Shelf, Dynamic Shipping Zones A-D, Dynamic Fishing Closure Zone, Southern Newfoundland, Cabot Strait reported No NARW sightings	No sightings No action required at this time
May 23	0	Aerial surveys in Eastern Gaspé, Gulf – Management zones (poor visibility), Grand Banks reported no NARW sightings	No sightings No action required at this time
May 24	13	Aerial surveys in Eastern Shore of Nova Scotia, Gulf Fisheries management Zones (Southern Gulf), Dynamic Shipping Zones, Lahave Bank, Southern and Western Newfoundland, Cabot Strait 12 NARW observed in Static zone 1 observed off the coast of Eastern Nova Scotia	As NARW were sighted in static zone that is already closed, no further management action is required at this time. Awaiting approval for Notice to Harvesters to alert them of whales in Static zone, close to dynamic zone. Sighting of 1 NARW off Eastern shore of Nova Scotia, not in a potential foraging zone, no action is required.
May 25	0	Aerial surveys in West of Anticosti, Static Management zone, Eastern and Southern Newfoundland, Scotian Shelf	No sightings No action required
May 26	11	Aerial surveys in South Shore of Nova Scotia, Gulf Fisheries management Zones (Southern Gulf)	11 NARW sighted in Gulf Management Zones. Dynamic closure will be implemented with 72 hours notice to harvesters (extended from 48 hours due to poor weather conditions) This closure will overlap with current dynamic closure in place
May 27	1	Aerial surveys in Dynamic Shipping Zones ABCD, Fisheries	1 new sighting in Gulf Management Zones.

		Management Zones, West of Anticosti, Southern Gulf, Western Newfoundland, Eastern Shore of Nova Scotia	Existing dynamic closure will be extended to grids GW41 and GX41 with 72 hours notice to harvesters (extended from 48 hours due to strong winds)
May 28	0	Aerial surveys in Gaspé coast, Fisheries Management Zones, Southern Gulf, Western Newfoundland	No sightings No action required at this time
May 29	0	Aerial surveys in Bay of Fundy, Grand Manan Basin, Scotian Shelf, Eastern Newfoundland	No sightings No action required at this time
May 30	7	Aerial surveys in Southern Gulf and Roseway Basin	6 NARW sighted in Static zone; no management measures required 1 NARW sighted in Roseway Basin; No automatic protocol in place - management measures being discussed with industry May 31 before decision to be taken

Van Bemmell, Alexis

From: Jenkins, Randy
Sent: May-31-18 1:52 PM
To: Daley, Annette; Van Bemmell, Alexis
Cc: Sweet, Marilyn; Merriman, Catherine B; Berthier, Jacinta
Subject: RE: Daily sit rep and tracking sheet

Thanks.

From: Daley, Annette
Sent: Thursday, May 31, 2018 1:50 PM
To: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Van Bemmell, Alexis <Alexis.VanBemmell@dfo-mpo.gc.ca>
Cc: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: RE: Daily sit rep and tracking sheet

Attached are my suggestions – version dated May 31.

Annette

From: Jenkins, Randy
Sent: Thursday, May 31, 2018 2:44 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Van Bemmell, Alexis <Alexis.VanBemmell@dfo-mpo.gc.ca>
Cc: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: RE: Daily sit rep and tracking sheet

Thanks. We can nuance the language... we understand that the meeting was previously scheduled and is unrelated to the sightings.

From: Daley, Annette
Sent: Thursday, May 31, 2018 1:36 PM
To: Van Bemmell, Alexis <Alexis.VanBemmell@dfo-mpo.gc.ca>
Cc: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
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Alexis, I have comments on this sit rep and I have asked Marilyn to provide me with a revised version. I do not want the document to suggest that "Measures for Roseway Basin are being discussed with affected harvesters today (May 31) further direction to follow by end of day" as if the direction will come from affected harvesters.

That is not the intent of the meeting with the Scotia Fundy RoundTable and I do not want the record of the Department's management action for yesterday's sighting of a NARW to reflect that. We are meeting with them to discuss communications protocols and consult on management protocols for NARWs – they are not being asked to take a specific decision or influence a specific decision – they are being consulted on processes. This meeting was planned last week and is not about the specific sighting.

Annette

From: Van Bommel, Alexis

Sent: Thursday, May 31, 2018 1:30 PM

To: DFO.F Whale Alerts / Alertes baleines F.MPO <DFO.FWhaleAlerts-AlertesbaleinesF.MPO@dfo-mpo.gc.ca>

Subject: Daily sit rep and tracking sheet

Hi all,

Please find attached the daily sit rep and tracking sheet.

Thank you,

Alexis

Alexis Van Bommel

Fisheries and Aquaculture Management Officer |

Agent, Gestion des pêches et de l'aquaculture

Fisheries and Oceans | Pêches et océans

200 rue Kent Street - 13S002A Ottawa, ON, K1A 0E6

Alexis.VanBommel@dfo-mpo.gc.ca

Telephone | Téléphone (613) 402-7832

Facsimile | Télécopieur (613) 990-7051

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Merriman, Catherine B

From: Daley, Annette
Sent: May-31-18 2:50 PM
To: Jenkins, Randy; Van Bemmell, Alexis
Cc: Sweet, Marilyn; Merriman, Catherine B; Berthier, Jacinta
Subject: RE: Daily sit rep and tracking sheet
Attachments: MECTS-#3915057-v1-Situation_report_template_31May2018.MS_MAR.DOCX

Attached are my suggestions – version dated May 31.

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Sent: Thursday, May 31, 2018 2:44 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Van Bemmell, Alexis <Alexis.VanBemmell@dfo-mpo.gc.ca>
Cc: Sweet, Marilyn <Marilyn.Sweet@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
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Annette

From: Van Bemmell, Alexis
Sent: Thursday, May 31, 2018 1:30 PM
To: DFO.F Whale Alerts / Alertes baleines F.MPO <DFO.FWhaleAlerts-AlertesbaleinesF.MPO@dfo-mpo.gc.ca>
Subject: Daily sit rep and tracking sheet

Hi all,

Please find attached the daily sit rep and tracking sheet.

Thank you,
Alexis

Alexis Van Bommel

Fisheries and Aquaculture Management Officer |
Agent, Gestion des pêches et de l'aquaculture
Fisheries and Oceans | Pêches et océans
200 rue Kent Street - 13S002A Ottawa, ON, K1A 0E6
Alexis.VanBommel@dfo-mpo.gc.ca
Telephone | Téléphone (613) 402-7832
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NARW Situation Report/Operational Synopsis

Current Status

Aerial surveillance

General location(s): Aerial surveys in Southern Gulf, Roseway Basin

Comments/observations: 7 NARW sighted

At-sea surveillance (Vessels/observers)

General location(s): Static area patrolled in the evening

Comments/observations: -

Weather/Sea state: Poor weather conditions

NARW Whales

Sightings: 7

Confirmed: 7

Position (long/lat.):

42°49'55.44N 65°8'53.22W (Roseway Basin) (x1)

Sightings in static zone (x6)

47°52.02N 64°12.28W

47°52.01N 64°12.99W

47°51.25N 64°13.91W

47°51.25N 64°13.91W

47°48.55N 64°14.80W

47°48.53N 64°14.94W

Entanglement: No information

Injured/dead: No information

Comments/observations:

- 1 sighting in Roseway Basin, identified as a critical habitat
- 6 sightings in Static Zone closure in the Gulf – no further management measure necessary for this sighting

NARW Incidents ongoing: (e.g., necropsy operations, ongoing marine mammal response, etc.)

Comments/observations: Nil

Management measures in place (Closures)

New management measure:

- No measures needed for Static Zone sightings
- For May 31, the same process for one whale sighting in Eastern Nova Scotia will be followed and further management action will be proposed to the national NARW WG on 1 June, with respect to the location of the sighting within the Roseway Basin critical habitat area.

Existing Mgmt. measures:

Dynamic closure based on May 27 sighting

- **Start date:** May 31
- **Potential reopening:** TBD

Dynamic closure based on May 26 sighting

- **Start date:** May 30
- **Potential reopening:** TBD

Dynamic closure based on May 19 sighting

- **Start date:** May 23
- **Potential reopening:** TBD

TC DM slow down area: All zones open and operating at normal speeds

Comments/observations (e.g. fisheries impacted):

- Lobster fisheries (LFA 33 & 34) in area of Roseway Basin are closing today. Will be switching to groundfish fishery in the next few days.

Other comments/observations

(e.g., public reaction, media observations, industry feedback)

- Comms continuing working on WhaleMap
- Maritimes Region has a consultation meeting on May 31 with the Scotia-Fundy Roundtable to discuss communication protocols and management protocols for the region and for critical habitat areas.

Upcoming – next day

Planned surveillance: Seeking to confirm follow-up flights in light of the single whale sighting in Maritimes region

At-sea: -

Comms/Media: -

Ongoing Responses/necropsies, etc.: Nil

Other: -

For Regional use:

Management measures recommended

Recommended action: Proposed management actions specific to critical habitat areas to be discussed on the national working group call on June 1st at 10am.

Location: Roseway Basin

Start date and time: -

Comments/observations (e.g. relevant fisheries):

A pre-planned meeting of the Scotia Fundy Roundtable is scheduled for this afternoon (May 31). Discussions will focus on NARW and possible measures that may be applied when whales are confirmed in the Maritimes, including potential management measures to be taken in critical habitat.

Approval:

Regional Director, Fisheries Management

Date

Van Bemmell, Alexis

From: Van Bemmell, Alexis
Sent: June-01-18 2:24 PM
To: Gilchrist, Brett
Subject: DM sit rep

David thinks we should add something about the roseway basin discussion in the DM sit rep. Here's some wording I put together/pulled from the daily sit rep:

- **North Atlantic Right Whales (NARW) Update:**
 - On May 30th, there was a sighting of 1 NARW in Roseway Basin, a critical habitat area. Proposed management measures were discussed on the national working group call on June 1st.
 - Since there is not currently management measures in place for the Maritimes region, as per the protocol, a meeting was convened with the affected RDs. It was recommended that a consistent approach be applied in accordance with measures in place in the Gulf Region, with 3x3 grid closure around the sighting and a 15 day closure.

Alexis Van Bemmell

Fisheries and Aquaculture Management Officer |
Agent, Gestion des pêches et de l'aquaculture
Fisheries and Oceans | Pêches et océans
200 rue Kent Street - 13S002A Ottawa, ON, K1A 0E6
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Telephone | Téléphone (613) 402-7832
Facsimile | Télécopieur (613) 990-7051
Government of Canada | Gouvernement du Canada

Van Bommel, Alexis

From: Van Bommel, Alexis
Sent: June-01-18 5:55 PM
To: DFO.F Whale Alerts / Alertes baleines F.MPO
Subject: Daily sit rep
Attachments: MECTS-#3915057-v1-Situation_report_template_31May2018.DOCX

Hi all,

Please find attached the daily sit rep.

Thanks,

Alexis Van Bommel

Fisheries and Aquaculture Management Officer |
Agent, Gestion des pêches et de l'aquaculture
Fisheries and Oceans | Pêches et océans
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Facsimile | Télécopieur (613) 990-7051
Government of Canada | Gouvernement du Canada

Date: **31 May 2018**

Completed by: **Alexis Van Bommel**

NARW Situation Report/Operational Synopsis

Current Status

Aerial surveillance

General location(s): Aerial surveys in Southern Gulf, Fisheries Management Zones, Dynamic shipping sectors ABCD

Comments/observations: 20 NARW sighted in Fisheries Management Zones

At-sea surveillance (Vessels/observers)

General location(s): Patrolling dynamic area

Comments/observations: -

Weather/Sea state: Good conditions with unlimited visibility

NARW Whales

Sightings: 20

Confirmed: 20

Position (long/lat.):

1 NARW @ 47 36.00N / 64 06.00W
 2 NARW @ 47 48.71N / 64 14.77W
 2 NARW @ 47 47.75N / 64 14.96W
 1 NARW @ 47 51.20N / 64 13.03W
 2 NARW @ 47 53.28N / 64 13.60W
 3 NARW @ 47 51.91N / 64 09.31W
 8 NARW @ 47 54.02N / 64 09.74W
 1 NARW @ 47 54.22N / 64 07.05W

Entanglement: No information

Injured/dead: No information

Comments/observations:

- All sightings in static zone

NARW Incidents ongoing: (e.g., necropsy operations, ongoing marine mammal response, etc.)

Comments/observations: Nil

Management measures in place (Closures)

New management measure:

- No measures needed for Static Zone sightings
- Temporary closure for part of Roseway Basin Critical Habitat for sighting of NARW on May 30.

Existing Mgmt. measures:

Dynamic closure based on May 27 sighting

- **Start date:** May 31
- **Potential reopening:** TBD

Dynamic closure based on May 26 sighting

- **Start date:** May 30
- **Potential reopening:** TBD

Dynamic closure based on May 19 sighting

- **Start date:** May 23

Date: **31 May 2018**

Completed by: **Alexis Van Bommel**

- **Potential reopening:** TBD

TC DM slow down area: All dynamic sectors are open and operating at normal speeds

Comments/observations (e.g. fisheries impacted):

Other comments/observations

(e.g., public reaction, media observations, industry feedback)

- Comms continuing working on WhaleMap

Upcoming – next day

Planned surveillance: -

At-sea: -

Comms/Media: -

Ongoing Responses/necropsies, etc.: Nil

Other: -

For Regional use:

Management measures recommended

Recommended action:

Maritime region advised on a proposal for a protocol for critical habitat that is under revision.

Fisheries affected: TBD

Location: TBD

Start date and time: TBD

Comments/observations (e.g. relevant fisheries): As per the national information flow protocol, a meeting of the DG and Regional Directors of Fisheries Management was held on 1 June. The outcome was that consistency of approach with the GSL for temporary closures is of utmost importance, and measures are being considered.

Approval:

Regional Director, Fisheries Management

Date

Date: 1 June 2018
Completed by: C. Merriman

MARITIMES: NARW Situation Report/Operational Synopsis

Current Status

Aerial surveillance

General location(s): None – C&P aircraft unavailable because of mechanical issues

- C&P:
- Science: Comments/observations:
- C&P:

At-sea surveillance (Vessels/observers)

General location(s):

Comments/observations:

Weather/Sea state: N/A

NARW Whales

Sightings: No new sightings. Information in this situation report refers to right whale sighting in Roseway Basin critical habitat area on 30 May. (See situation report dates 31 May.)

Confirmed:

Position (long/lat.):

General location:

Entanglement:

Injured/dead:

Comments/observations:

NARW Incidents ongoing: (e.g., necropsy operations, ongoing marine mammal response, etc.)

Comments/observations: NIL

Management measures in place

Location: NIL

Start date:

Planned opening/reopening:

TC DM slow down area: No new information

Comments/observations (e.g. fisheries impacted):

-

Other comments/observations

(e.g., public reaction, media observations, industry feedback)

- Communications preparing material. Sightings map to be updated on DFO website

Date: 1 June 2018
Completed by: C. Merriman

Upcoming – next day
Planned surveillance:

At-sea:

Comms/Media: Comms Maritimes preparing media lines.

Ongoing Responses/necropsies, etc.: Nil

Other:

For Regional use:

Management measures recommended

Recommended action:

Temporary closure based on a proposal for a protocol for critical habitat that is under revision by Maritimes Region Resource Management which will include management actions for a single whale sighting within a 3x3 grid for 15-day rolling closure. Within those 15 days, at least 2 consecutive surveillance flights must confirm no right whale sightings, with one such flight occurring during the final 5 days of the closure. Lack of additional sighting of right whales within those 15 days will result in the area being reopened. Any subsequent sighting of a single right whale within the closed area would extend the closure for 15 days from the date of the sighting. In the event that a subsequent sighting is confirmed and the closure area required expansion or extension, DFO will inform industry through a Notice to Fish Harvesters.

Fisheries affected:

The closure will be in effect for the following fisheries where the fishing seasons are currently opened: snow crab, Jonah crab, rock crab; groundfish (fixed gear); hagfish (open but not active at this time) and whelk (open but not active at this time); herring and mackerel gillnet

Location: The extent of grid squares IC29, IC30, IC31 (partial), ID29 (partial), ID30 (partial) occurring within the Roseway Basin right whale critical habitat area, with a total area bounded by the four coordinates listed on the map (Appendix 1).

Start date and time: will take effect on June 3rd, 2018 at 23:59 Atlantic Daylight Time (ADT). DFO is providing a 48 hours advance notice for harvesters to retrieve gear.

Comments/observations (e.g. relevant fisheries):

DFO met on 31 May with the Scotia-Fundy Fisheries Roundtable to discuss the proposed process for closures within and outside critical habitat areas and to seek their comments prior to communicating and implementing it. After a productive discussion, industry members expressed understanding of the balance DFO is seeking, and did not oppose the heightened response for action in critical habitat areas. The proposal to act on a single whale sighting was discussed along with the duration of the rolling closure. DFO advised that based on right whale sightings information from 2017 and 2018, and on the limited fishing activity in the area at this time, a shorter duration closure in this area at this time may be appropriate. Because the Department does not have an approach in place with automatic closure rules outside the GSL, Regions are assessing sighting reports on a case-by-case basis. The area and duration of future

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Date: 1 June 2018
Completed by: C. Merriman

closure recommendations may vary.

This closure area will affect Indigenous fisheries including FSC and Aboriginal Commercial Communal licences.

- As per the national information flow protocol, a meeting of the Regional Directors of Fisheries Management was held on 1 June. The outcome was the decision that consistency of approach for temporary closures is of utmost importance, and a 15-day rolling closure will be applied to the grid areas identified on the map below.

Approval:

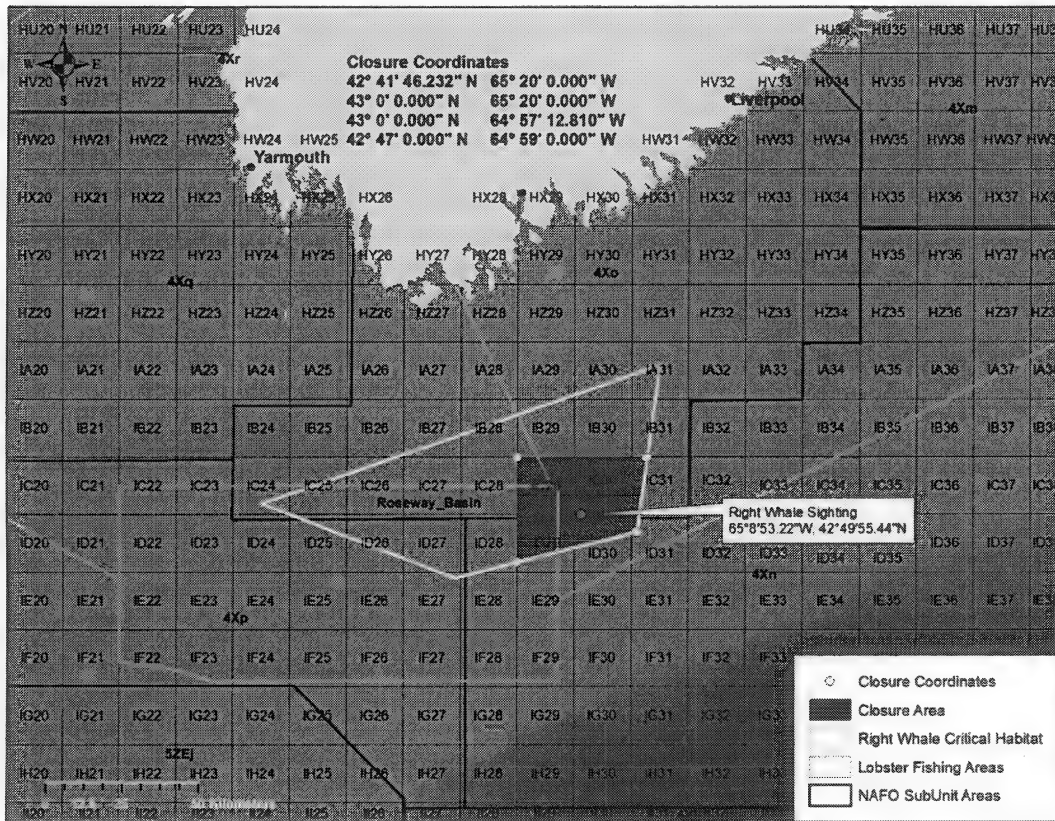
Regional Director, Fisheries Management

Date

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Date: 1 June 2018
 Completed by: C. Merriman

Appendix 1 Map of proposed temporary closure area



Waters, Christa

From: Daley, Annette
Sent: June-01-18 7:01 PM
To: Waddell, Mark; Jenkins, Randy; Lapointe, Sylvie; Butcher, Ashley
Cc: Valkenier, Mary-Ellen; Burns, Adam; Whorley, David; Berthier, Jacinta; Waters, Christa; Valkenier, Mary-Ellen; Merriman, Catherine B; Wentzell, Doug; Patrick, Lindsey; Waters, Christa; Merriman, Catherine B; Berthier, Jacinta
Subject: Responses: For urgent approval: Roseway draft NotFish - NARW

Can we find out who / what fisheries specifically would be impacted by this?

This would apply to:

- groundfish fisheries using fixed gear (there were two vessels in the area over the last two days, most are just gearing up to go),
- Herring and mackerel gillnet fisheries (they are authorized to fish in the area, but there is very little effort in the past and no one fishing now),
- hagfish (there is no one fishing) and
- crab (no one active in the area)

What ground fisheries, approximately how many?

Halibut longline and Pollock gillnet. Gillnet is not used as much anymore.

s.19(1)

Does FSC lobster fishery set traps in this area?

The chance that FSC lobster fishing is happening in this area is low. They are authorized to fish in this area but are not expected to be currently fishing there.

Have we communicated this to fishers in this region at any advisory committee meetings?

Between January and March 2018, engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations where the possibility of dynamic closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised. Specifically, over the past week, Maritimes Region called a meeting of the Scotia Fundy Roundtable Planning Group (last week) and the full Scotia Fundy RoundTable (yesterday) to discuss protocols that may be used in both critical habitat and outside critical habitat in Maritimes Region. The participants indicated that they wanted more clarity than decisions on a "case-by-case basis". They were advised that DFO was considering action (closures) when one whale was sighted in critical habitat areas. Members advocated for a shorter closure period (5 to 6 days) than was being used in the GSL (15 days) but there was an understanding that the Department may use that same protocol as is in place for GSL for 2018. Today, following Departmental meetings, calls were made to the Grand Manan Fisherman's Association [REDACTED] the Guysborough County Fisherman's Association [REDACTED] and [REDACTED] Groundfish

Enterprise Allocation Council [REDACTED] to give them a head's up that this decision may come today. There were no significant concerns raised.

s.19(1)

Can we also confirm if there is precedent for implement a fishing closure within a Critical Habitat Area? Is there a section of the SAR Act which would justify this action?

1. Only two species have critical habitat (CH) identified in Atlantic Canadian waters – the north Atlantic right whale (2 CH areas), and the northern bottlenose whale (BNW). The CH for the BNW coincides at least in part with The Gully Marine Protected Area, Zone 1 of which incorporates a fishery closure. No fishery closure has been implemented before in right whale CH.
2. This action supports the general prohibitions under section 32 of the Species at Risk Act <http://laws-lois.justice.gc.ca/eng/acts/s-15.3/page-4.html#h-14>. However, this proposed action is being undertaken through the Fisheries Management decision process rather than invoking s. 32.

Annette

From: Waddell, Mark

Sent: Friday, June 1, 2018 6:25 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>

Cc: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Whorley, David <David.Whorley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>; Patrick, Lindsey <Lindsey.Patrick@dfo-mpo.gc.ca>

Subject: RE: For urgent approval: Roseway draft NotFish - NARW

Thanks – an additional follow-up from MINO “Can we also confirm if there is precedent for implement a fishing closure within a Critical Habitat Area? Is there a section of the SAR Act which would justify this action?”

From: Daley, Annette

Sent: June 1, 2018 5:20 PM

To: Waddell, Mark <Mark.Waddell@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>

Cc: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Whorley, David <David.Whorley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>

Subject: RE: For urgent approval: Roseway draft NotFish - NARW

We are preparing responses now.

Annette

From: Waddell, Mark

Sent: Friday, June 1, 2018 6:15 PM

To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>

Cc: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Whorley, David <David.Whorley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>

Subject: RE: For urgent approval: Roseway draft NotFish - NARW

MINO has asked that we please hold this notice until they can have answers to the following:

- Can we find out who / what fisheries specifically would be impacted by this?
- What ground fisheries, approximately how many?
- Does FSC lobster fishery set traps in this area?
- Have we communicated this to fishers in this region at any advisory committee meetings?

Appreciate if these could be routed back to those here, will liaise with DMO to close the loop.

Thanks

M

From: Daley, Annette

Sent: June 1, 2018 3:09 PM

To: Jenkins, Randy <Randy.Jenkins@dfo-mpo.gc.ca>; Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>; Waddell, Mark <Mark.Waddell@dfo-mpo.gc.ca>; Butcher, Ashley <Ashley.Butcher@dfo-mpo.gc.ca>

Cc: Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Burns, Adam <Adam.Burns@dfo-mpo.gc.ca>; Whorley, David <David.Whorley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>; Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>; Merriman, Catherine B <Catherine.Merriman@dfo-mpo.gc.ca>; Wentzell, Doug <Doug.Wentzell@dfo-mpo.gc.ca>

Subject: For urgent approval: Roseway draft NotFish - NARW

Please find attached a Notice to Fish Harvesters, a map and coordinates for grid closures in Roseway Basin due to the presence of one North Atlantic Right Whale (NARW). This notice is currently being translated.

The following grids will be closed: **IC29, IC30, IC31 (partial), ID29 (partial), ID30 (partial)**. The closure will come into effect June 3rd, 2018 at 23:59 (ADT). We are suggesting we provide a 48 hours advanced notice retrieve gear from the areas that will be closing.

Closures will be in effect for the following fisheries where the fishing seasons are currently opened: Crab (snow, rock, Jonah), whelk, hagfish, fixed gear groundfish and small pelagic gillnet fisheries.

The Maritimes Region has prepared the attached Notice to Fish Harvesters of this closure. Harvesters will also be informed through notice of Variation Order.

It is recommended that indigenous communities be informed that this closure will also impact their access to food, social and ceremonial fisheries. Attached is a proposed email to be distributed along with the NotFish.

Please confirm that DFO will be moving ahead with the proposed closed areas indicated above.

Annette Daley

A/Regional Director, Fisheries Management

Fisheries and Oceans Canada | Government of Canada

Annette.Daley@dfo-mpo.gc.ca | Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directrice régionale par interim, Gestion des pêches

Pêches et Océans Canada | Gouvernement du Canada

Annette.Daley@dfo-mpo.gc.ca | Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

Merriman, Catherine B

From: Merriman, Catherine B
Sent: June-01-18 12:43 PM
To: Daley, Annette
Cc: Sweet, Marilyn; Waters, Christa
Subject: Draft Maritimes sit rep for today
Attachments: Draft_Situation report_1June2018.docx

Importance: High

See attached. I used Marilyn's draft Notice to Harvesters to the fishery information.

Does this capture adequately the rationale for the recommendation?

Cathy

MARITIMES: NARW Situation Report/Operational Synopsis

Current Status

Aerial surveillance

General location(s): None – C&P aircraft unavailable because of mechanical issues

- C&P:
- Science: Comments/observations:
- C&P:

At-sea surveillance (Vessels/observers)

General location(s):

Comments/observations:

Weather/Sea state: N/A

NARW Whales

Sightings: No new sightings. Information in this situation report refers to right whale sighting in Roseway Basin critical habitat area on 30 May. (See situation report dates 31 May.)

Confirmed:

Position (long/lat.):

General location:

Entanglement:

Injured/dead:

Comments/observations:

NARW Incidents ongoing: (e.g., necropsy operations, ongoing marine mammal response, etc.)

Comments/observations: NIL

Management measures in place

Location: NIL

Start date:

Planned opening/reopening:

TC DM slow down area: No new information

Comments/observations (e.g. fisheries impacted):

-

Other comments/observations

(e.g., public reaction, media observations, industry feedback)

- Communications preparing material. Sightings map to be updated on DFO website

Upcoming – next day

Planned surveillance:

*Add information about Science survey when available

At-sea:

Comms/Media: Comms to prepare media lines for review by RM and other staff as required

Ongoing Responses/necropsies, etc.: Nil

Other:

For Regional use:

Management measures recommended

Recommended action:

1. Closure based on the protocol developed and recommended by Maritimes Region Resource Management: 3x3 grid for 7-day rolling closure. Within those 7 days, including the latter 2 days, at least 2 surveillance flights must confirm no right whale sightings. Lack of additional sighting of right whales within those 7 days will result in the area being reopened. Any additional sighting of a right whale within the closed area would extend the closure for 7 days from the additional sighting. In the event that more whales are confirmed and the closure area required expansion or extension, DFO will inform industry through a Notice to Fish Harvesters.

Fisheries affected:

The closures will be in effect for the following fisheries where the fishing seasons are currently opened: snow crab, toad crab, rock crab, hagfish and whelk. Closures will also be in effect for groundfish (fixed gear).

Location: The extent of grid squares IC29, IC30, IC31 (partial), ID28 (partial), ID30 (partial) that occur within the Roseway Basin right whale critical habitat area, with a total area bounded by the four coordinates listed on the map (Appendix 1).

Start date and time: **June 4th, 2018 at 9:00** Atlantic Daylight Time (ADT) with 48 hours advance notice for harvesters to retrieve gear.

Comments/observations (e.g. relevant fisheries):

DFO met on 31 May with the Scotia-Fundy Fisheries Roundtable to discuss a recommended closure with industry and seek their input prior to announcing and implementing it. After a productive discussion, industry members expressed understanding of the balance DFO is seeking, and did not oppose a recommended closure of 2 full and 3 partial grid squares in the Roseway Basin right whale critical habitat area. The duration of the rolling closure was discussed and DFO consensus was that based on right whale sightings information from 2017 and 2018, and on the limited fishing activity in the area at this time, a shorter duration closure in this area at this time is appropriate. Because Maritimes Region does not have an approach in place with automatic closure rules, we are assessing sighting reports on a case-by-case basis. The area and duration of future closure recommendations may vary.

This closure area will affect Indigenous fisheries including FSC and Aboriginal CC licences scheduled to open [1 June?]

Date: 1 June 2018
Completed by: C. Merriman

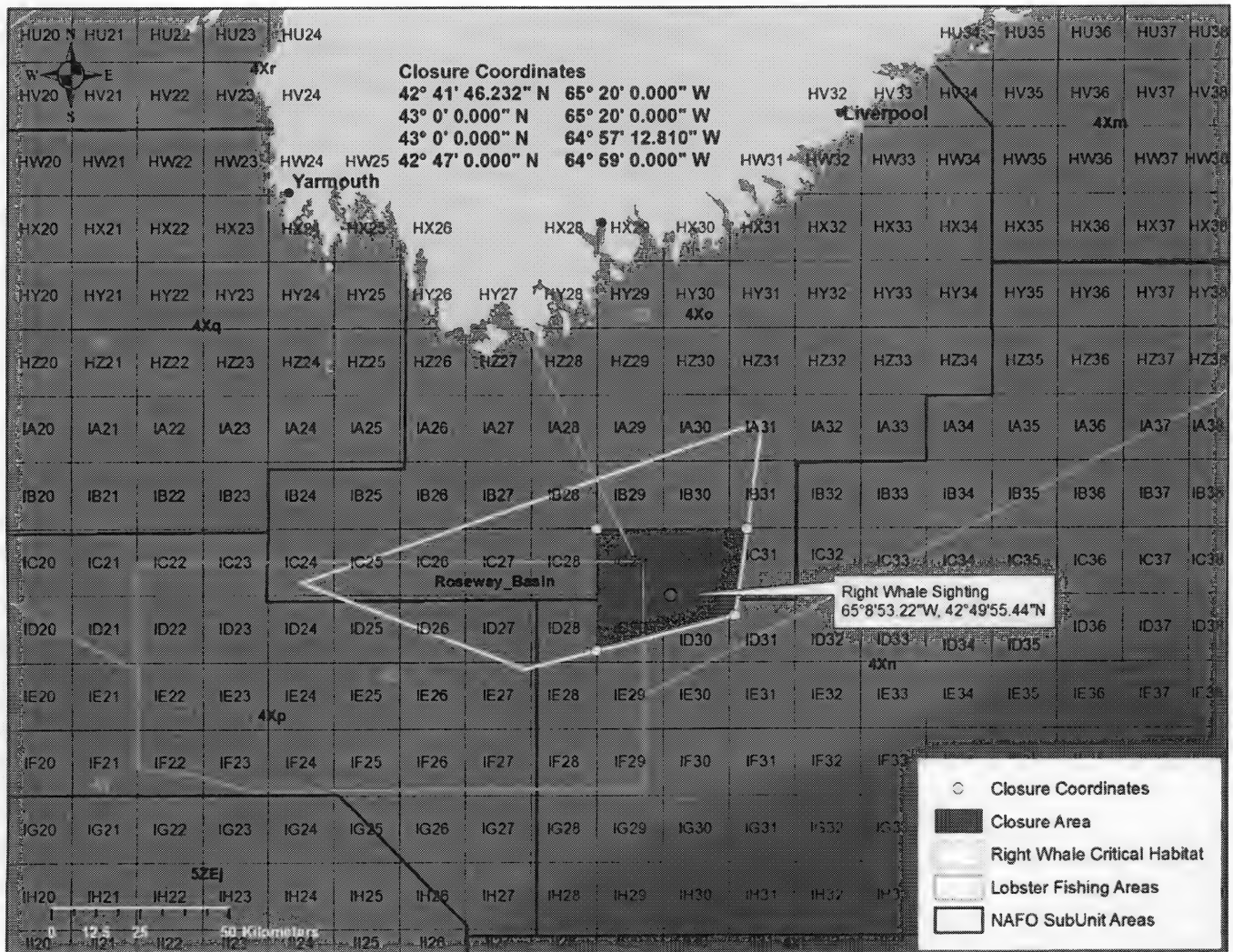
may be affected by future sightings and direct communications should be undertaken with the communities holding such licences.

Approval:

Regional Director, Fisheries Management

Date

Appendix 1 Map of proposed temporary closure area



Berthier, Jacinta

From: Berthier, Jacinta
Sent: Monday, June 4, 2018 3:11 PM
To: Daley, Annette; Waters, Christa
Subject: RE: URGENT INFORMAL : whale in critical habitat in roseway bassin

s.19(1)

Hi,

While I would prefer to note that the timing of this request is out of date as the briefings on Friday were meant to inform NHQ of the engagement undertaken in the time-sensitive decision making process, if there is still a desire for the information I would suggest that we put forward the following:

- Between January and March 2018, engagement sessions and workshops in the Maritimes Region were held for the fishing industry, Indigenous communities, provincial partners and Non-Governmental Organizations where the possibility of dynamic closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised. No specific protocols were shared, as the national direction received in late March 2018 noted that for all areas outside Gulf of St. Lawrence 'static' and 'dynamic' closure zones would be addressed on a case-by-case basis. The possibility was again flagged in a presentation to the Scotia Fundy Roundtable on April 16th, in a presentation on NARW mitigation measures.
- Maritimes Region held a meeting of the Scotia Fundy RoundTable (SFRT) on Thursday May 31st to discuss protocols that may be used in both critical habitat and outside critical habitat in Maritimes Region. As the meeting coincided with the first sighting of a NARW in the Critical Habitat area on May 30th, the meeting provided an opportunity to seek direct feedback from the Roundtable on the management measures being considered, including a temporary closure.
- On the morning of June 1st, Maritimes Region staff contacted the Grand Manan Fisherman's Association [REDACTED] the Guysborough County Fisherman's Association [REDACTED] and [REDACTED] Groundfish Enterprise Allocation Council [REDACTED] and [REDACTED] the Scotia Fundy Inshore Fishermen's Representative to give notice of the potential for a closure being put in place as described at the May 31st meeting; no significant concerns were raised beyond the duration of the closure, yet all understood the potential need for consistency with the Gulf of St. Lawrence protocol.

N.B. All groundfish species, either as directed fisheries or authorized bycatch, are covered by the Scotia Fundy Groundfish Advisory Committee / Scotia Fundy Fixed Gear Groundfish committee (in reference to winter flounder, Greenland Halibut and Atlantic Halibut); there are no whelk licences active for this area in 4X – as such, no directed calls were made.

JB

From: Daley, Annette
Sent: Monday, June 4, 2018 2:29 PM
To: Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: Re: URGENT INFORMAL : whale in critical habitat in roseway bassin

Thanks Christa, I will send this up, but I think they might mean did they know in advance of the closure.

Annette Daley
A/Regional Director, Fisheries Management
Fisheries and Oceans Canada | Government of Canada
Annette.Daley@dfo-mpo.gc.ca |
Telephone: 902-426-9962 | Facsimile: 902-426-7967

Directrice régionale par interim, Gestion des pêches
Pêches et Océans Canada | Gouvernement du Canada
Annette.Daley@dfo-mpo.gc.ca |
Téléphone: 902-426-9962 | Télécopieur: 902-426-7967

From: Waters, Christa
Sent: Monday, June 4, 2018 1:53 PM
To: Daley, Annette; Berthier, Jacinta
Subject: FW: URGENT INFORMAL : whale in critical habitat in roseway bassin

Hello,

The notice for the closure in Roseway Basin was sent to all the groundfish advisory committee's distribution lists, including the Scotia Fundy Groundfish Advisory Committee and the Fixed Gear Advisory Committee. This covers all the fixed gear groundfish fisheries in the Maritimes. There is no directed fishery for Greenland halibut.

We haven't issued a whelk licence in 4X since 2014, and no renewal applications for 4X have been received so far this year. The notice did go to the Regional Developing Species Advisory board for anyone who would be interested in whelk.

In addition, C&P sends out the Variation Order Notice in their process. We are well covered for Notices.

Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

From: Rossignol, Pauline
Sent: June-04-18 12:24 PM
To: Daley, Annette; Berthier, Jacinta
Cc: MacDonald, Carl; Waters, Christa; Wentzell, Doug; MacLellan, Elizabeth
Subject: FW: URGENT INFORMAL : whale in critical habitat in roseway bassin

Hi Annette, as per below, we have received this Urgent Informal seeking confirmation if the following fisheries are aware that their fishery may be affected by NARW measures (for response by 4:00 today please):

Thank you.

Pauline

From: Trudeau, Miriam
Sent: June-04-18 11:43 AM
To: Rossignol, Pauline
Cc: Jarjour, Jasmine; Kahn, Zoe
Subject: RE: URGENT INFORMAL : whale in critical habitat in roseway bassin

Pauline, the notice to fisher identified the fisheries that will be closed in that area so we are good on that end. However, need to know if industry for the following fisheries were aware of that their fishery may be affected by NARW measures.

- whelk.
- winter flounder (fixed gear),
- Atlantic halibut (fixed gear) and
- Greenland halibut (fixed gear)

Thanks!

Miriam

From: Rossignol, Pauline
Sent: Monday, June 4, 2018 7:32 AM
To: Trudeau, Miriam <Miriam.Trudeau@dfo-mpo.gc.ca>
Subject: RE: URGENT INFORMAL : whale in critical habitat in roseway bassin

Miriam, [REDACTED] do you still need the information?

From: Trudeau, Miriam
Sent: June-01-18 3:56 PM
To: Rossignol, Pauline
Cc: Wentzell, Doug; Butcher, Ashley; Jarjour, Jasmine; Kahn, Zoe; Malko, Carol
Subject: URGENT INFORMAL : whale in critical habitat in roseway bassin
Importance: High

Pauline.

Need to know by COB today, what management measures are being considered to protect the NARW In the area. Please include gear type and size of grid closures and length of time.

Will this affect another type of fishery that was not identified as part of the Gulf closures (which was for fix gear)

Miriam

Sent from my BlackBerry 10 smartphone on the Bell network.

Merriman, Catherine B

From: Sweet, Marilyn
Sent: June-11-18 3:24 PM
To: Waters, Christa
Subject: 2018- NARW Memo to the Minister dynamic closures (v1).docx
Attachments: 2018- NARW Memo to the Minister dynamic closures (v1).docx



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Deputy Minister

Sous-ministre

UNCLASSIFIED
2018-201-00026

MEMORANDUM FOR THE MINISTER

**North Atlantic Right Whale Dynamic Closure
Management Measures for Maritimes Region in 2018
(For Decision)**

SUMMARY

This note is seeking your decision on options to use dynamic closures if required to reduce the risk of endangered North Atlantic Right Whale (NARW) interactions with fixed-gear fisheries in the Maritimes Region for the 2018 fishing season.

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia and in 2009, the Species at Risk *Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat. Activities such as fishery interactions are not considered activities that impact the critical habitat. However, often these areas are high-use fishing areas where large numbers of individual whales predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs off Nova Scotia.



BACKGROUND

The Gulf and Quebec Regions announced several measures for the 2018 fishing season as a means to reduce NARW interactions with fishing gear. A static closure to fishing activity began April 28th, 2018, in the area where 90 % of the 2017 sightings of NARW in Canadian waters occurred. These measures are outlined in the protocol for dynamic and static closures for the Gulf Region included in TAB 2.

Based on discussions at dedicated industry engagement sessions and Advisory Committee meetings in advance of season openings, a number of management measures have been implemented for the 2018 season in the Maritimes Region (TAB 5). These measures include the requirement to report interactions with all marine mammals and the mandatory reporting of lost

Canada

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gear in all fisheries, as part of a national requirement for all fisheries. Additional measures for Crab Fishing Areas 20-24 include a maximum length of 9.1 meters of rope between the primary and secondary buoy and a requirement to reduce / eliminate floating rope on the surface. Additional measures developed in consultation with industry members for Lobster Fishing Areas 27-32 include a maximum length of 6.6 meters of rope between the primary and secondary buoy and an encouragement to reduce the amount of floating rope on the surface. The matter of reducing the risk to NARW and options for possible closures has been discussed with various fisheries for several years in the region.

STRATEGIC CONSIDERATIONS

The Maritimes Region is seeking guidance on appropriate management measures to further reduce possible interactions of NARW with fishing gear. As measures have been announced for areas in the Gulf of St. Lawrence (Gulf Region and Quebec Region), the Maritimes Region is seeking to communicate and clarify decisions related to overarching mitigation measures for the Scotian Shelf Bioregion, in particular for areas where historically NARW were frequently observed and can reasonably be expected to occur in 2018.

Departmental staff have prioritized potential solutions by their likelihood of preventing entanglements. Prevention of entanglements (e.g. earlier or delayed seasons, rope reduction) should be given the highest priority, followed by mitigation (e.g. changes to gear configurations), monitoring (e.g. gear marking) and response (disentanglement). Response to entanglements is dangerous and costly. Therefore the focus is on preventing interactions from occurring by reducing the spatial overlap of fishing activity when NARW are present.

s.21(1)(b)

Conservation and Protection (C&P) and Ecosystems and Science sector have collaborated on a surveillance plan for 2018 which will help to inform decisions on management measures when NARW sightings are confirmed in the Maritimes Region. Recommendations regarding tasking for aerial surveillance by the C&P Branch will be discussed as part of established procedures.

The Maritimes Region is proposing similar dynamic closure measures as those which were approved for the Gulf of St. Lawrence, with a focus being placed on identified critical habitat as established high-use areas for NARW in the Recovery Strategy. Depending on what fisheries are active at the time, the implementation of a dynamic closure will likely have an impact on fisheries.

SCIENCE ADVICE

The dynamic closures proposed in this note to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches that have been used in other jurisdictions (e.g., US). Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. Monitoring and reporting will be required to assess the effectiveness of these measures over time.

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INDIGENOUS CONSULTATIONS

The Maritimes Region has held more than 10 workshops and engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region have been invited to each of the engagement sessions and workshops. There have not been any dedicated Indigenous-only sessions.

EXTERNAL CONSULTATIONS

Engagement sessions and workshops in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture and Non-Governmental Organizations. The possibility of dynamic closures as a measure to reduce risk of interactions between fishing gear and NARW has been raised at Advisory Committee meetings since November 2017, as outlined in TAB 5, as well as having been discussed for several years with fisheries identified as higher risk in the region. Specific details of how the closures would occur and areas being considered for dynamic closure were not discussed in detail at the meetings as these were occurring concurrent to the development of a national direction on static and dynamic closures.

A meeting of the Scotia Fundy Round Table (SFRT) met May 31st to discuss possible options for dynamic closures for the Maritimes (minutes attached TAB ??). Coincidentally this meeting coincided with the first confirmed sighting of a NARW in Roseway Basin which resulted in a 15 day closure of the area.

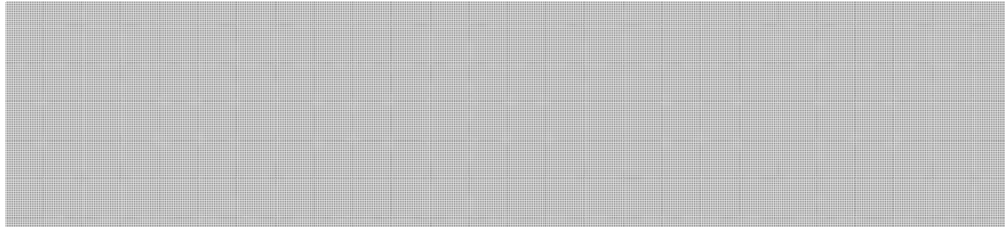
ADVICE AND RECOMMENDATIONS

s.21(1)(a)

NEXT STEPS

A further meeting of the SFRT will be arranged in the coming weeks, along with a dedicated Indigenous engagement session to discuss dynamic closures in the region. Meetings will include updates on occurrences of NARW in the region and further discussion to communicate the dynamic management protocol and other potential management measures to mitigate the risk of interactions with fishing gear. As appropriate, a 'Notice to Fish Harvesters' will be generated to communicate additional measures to Maritimes Region fish harvesters.

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Catherine Blewett
Deputy Minister

Dominic LeBlanc
 Minister, Fisheries, Oceans and the Canadian Coast Guard

-6-

Minister's Comments:

Attachment(s): (5)

- 1) Maritimes Region North Atlantic Right Whales Response Protocol
- 2) Static and Dynamic Management Measures - Gulf Region 2018
- 3) Fishing-gear threat to right whales (*Eubalaena glacialis*) in Canadian waters and the risk of lethal entanglement (Angelia S.M. Vanderlaan, R. Kent Smedbol, and Christopher T. Taggart) (<http://www.nrcresearchpress.com/doi/pdf/10.1139/f2011-124>)
- 4) A timely opportunity to protect North Atlantic right whales in Canada (Sean W. Brilliant, Tonya Wimmer, Robert W. Rangeley, Christopher T. Taggart) (<http://www.phys.ocean.dal.ca/~taggart/Publications/Brillant%20etal2017MarPol.pdf>)
- 5) Maritimes Region Fishing Industry Engagement - NARW -Summary Information 2017-18

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Fisheries and Oceans Canada
Correspondence Routing Slip

Fiche d'acheminement de correspondance
Pêches et Océans Canada

UNCLASSIFIED
GCCMS #: 2018-201-00026
EKME #: #####

To: Catherine Blewett
Pour:

Date:

Object: **NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE**
Objet: **MANAGEMENT MEASURES FOR MARITIMES REGION -2018**

From / Annette Daley, A/Regional Director, Fisheries Management, Maritimes Region
De:

Via: Mary-Ellen Valkenier, Regional Director General, Maritimes Region

Additional approvals:
Autre(s) approbation(s):

Sylvie Lapointe, Assistant Deputy Minister, Fisheries and Harbour Management

<input checked="" type="checkbox"/> Material for the Minister Documents pour le Ministre	<input checked="" type="checkbox"/> Your Signature Votre signature	<input type="checkbox"/> Information
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Screen: The Department has assessed this issue in full.
Filtre: ☒ It contains no reference to matters covered by the screen relating to J.D. Irving Limited.
☐ It contains matters referenced in the screen relating to J.D. Irving Limited, but in our view does not engage the screen.
☐ In our view, the screen relating to J.D. Irving Limited should be engaged.

Remarks: This briefing note was developed in consultation with the following
Remarques: regions/sectors:

Distribution:

Marilyn Sweet, Regional Senior FM Officer (902)221-7269/M-E.Valkenier/pd



UNCLASSIFIED
2018-201-00026

MEMORANDUM FOR THE MINISTER

**NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE
MANAGEMENT MEASURES FOR MARITIMES REGION IN 2018**
(For Information)

SUMMARY

Dynamic closures in identified critical habitat are being implemented in the Maritimes Region to reduce the risk of interactions with fixed-gear fisheries for 2018. Details for the closures can be found in the attached protocol (TAB 1).

If a North Atlantic Right Whale (NARW) is confirmed in the critical habitats of Roseway Basin or Grand Manan Basin, a minimum 15 day closure will take effect for fixed-gear fisheries, similar to the protocols in place for the Gulf and Quebec Regions. Sightings outside the critical habitat area will be treated on a case-by-case basis.

In the winter of 2018, all measures implemented this year will be reviewed in consultation with industry and Indigenous Communities for next year.

BACKGROUND

The Department announced several measures for the 2018 fishing season as a means to reduce NARW interactions with fishing gear, with a focus on the Gulf of St. Lawrence.

More recently, measures to mitigate entanglement risk to NARW has been discussed with various fisheries in the region (details of engagement sessions included in TAB 2). Based on these discussions, a number of management measures have been implemented for the 2018 season in the Maritimes Region.

STRATEGIC CONSIDERATIONS

Historically, most sightings of NARW in Canadian waters have occurred in the Maritimes. The *Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat. Although activities such as fishery interactions are not considered to be activities that impact the critical habitat, these areas are high-use fishing areas where large numbers of individual whales predictably aggregate.

-2-

The Maritime protocol has been implemented for one closure in Roseway Basin and one closure in Grand Manan Basin this season. In addition, the Minister has been quoted by Liberal MP Karen Ludwig as saying that 'Our protocol is that when a right whale is sighted in a foraging area we close grids, and require at least 2 surveillance flights with no whale sightings over a 15 day period before we would reopen, as we have done in the Gulf and for Roseway Basin.' In addition, the Minister was quoted as saying 'We have indicated that all measures implemented this year will be reviewed in consultation with industry for next year.'

SCIENCE ADVICE

The dynamic closures intended to reduce the risk of entanglement in fishing gear are consistent with scientific studies and recommendations in the science-based "Review of the Effectiveness of Recovery Activities for North Atlantic Right Whales" as well as with approaches that have been used in other jurisdictions. Implementing a suite of avoidance and mitigation measures could significantly reduce the risk to NARW. These measures will require monitoring and reporting to assess their effectiveness over time.

INDIGENOUS CONSULTATIONS

The Maritimes Region held more than 10 engagement sessions across the region to discuss the concerns with NARW and fisheries interactions. Indigenous Communities from the Maritimes Region were invited to each of the sessions. There were no dedicated Indigenous sessions; however, an additional offer will be extended to all groups in the next few weeks.

EXTERNAL CONSULTATIONS

Engagement sessions in the Maritimes Region have been attended by members of the fishing industry, Indigenous communities, the Province of Nova Scotia's Department of Fisheries and Aquaculture, and Non-Governmental Organizations.

ADVICE AND RECOMMENDATIONS

To reduce the risk of interactions with fixed-gear fisheries, a minimum 15 day closure will take effect if a NARW is confirmed in the critical habitats of Roseway Basin or Grand Manan Basin, similar to the protocols of the Gulf and Quebec Regions. Sightings outside the critical habitat area will be treated on a case-by-case basis.

In the winter, all measures implemented this year will be reviewed in consultation with industry and Indigenous Communities in advance of the next fishing season.

.../3

-3-

Catherine Blewett
Deputy Minister

Dominic LeBlanc
Minister

Minister's Comments:

Attachment(s): (2)

- 1) Maritimes Region North Atlantic Right Whales Response Protocol
- 2) Maritimes Region Fishing Industry Engagement - NARW -Summary Information 2017-18



UNCLASSIFIED
GCCMS #: 2018-201-00026
EKME #: #####

To: Catherine Blewett
Pour:

Date:

Object: **NORTH ATLANTIC RIGHT WHALE DYNAMIC CLOSURE**
Objet: **MANAGEMENT MEASURES FOR MARITIMES REGION -2018**

From / Annette Daley, A/Regional Director, Fisheries Management, Maritimes Region
De:

Via: Mary-Ellen Valkenier, Regional Director General, Maritimes Region

Additional approvals:
Autre(s) approbation(s):

Sylvie Lapointe, Assistant Deputy Minister, Fisheries and Harbour Management

<input checked="" type="checkbox"/> Material for the Minister Documents pour le Ministre	<input checked="" type="checkbox"/> Your Signature Votre signature	<input type="checkbox"/> Information
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Screen: The Department has assessed this issue in full.
Filtre: ☒ It contains no reference to matters covered by the screen relating to J.D. Irving Limited.
☐ It contains matters referenced in the screen relating to J.D. Irving Limited, but in our view does not engage the screen.
☐ In our view, the screen relating to J.D. Irving Limited should be engaged.

Remarks: This briefing note was developed in consultation with the following
Remarques: regions/sectors:

Distribution:

Marilyn Sweet, Regional Senior FM Officer (902)221-7269/M-E.Valkenier/pd

Maritimes Region Response Protocol: Confirmed Detection of North Atlantic Right Whales

June 13, 2018

North Atlantic Right Whale: Maritime Region Response

This protocol describes the Maritime Region response to a confirmed detection (sighting or acoustic) of a North Atlantic Right Whale (NARW). The decision tree provided in Figure 1 depicts the course of action to be taken by DFO's Resource Management (RM) Branch.

Step 1: Confirmation of Reported Sighting

When a NARW is confirmed, relevant information is shared via email through the Whale Alert distribution list and the Marine Mammal Coordinator for the Maritimes (Marilyn Sweet) initiates action for the Maritimes Region.

Step 2: Determine if the Whale is in a Critical Habitat

Resource Management will determine whether the confirmed detection is in Critical Habitat. Refer to the map depicting North Atlantic Right Whale Critical Habitats (*Appendix A*).

If the whale(s) is determined to be outside a Critical Habitat, the response will be to monitor the situation and provide advice through the North Atlantic Right Whale Working Group (organized through National headquarters) on a case-by-case basis— **Step 3 (A): Evaluate and Monitor**

If the whale(s) is determined to be inside a Critical Habitat, proceed to **Step 3 (B): Closure**

Step 3: Response Options

A) EVALUATE AND MONITOR

When NARW are confirmed outside of Critical Habitat:

Resource Management- Marine Mammal Advisor/Response Coordinator

- Consult fisheries opening list (*Appendix B*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.
- Arrange a meeting of the Regional Incident Management Team (*Appendix C*) to discuss situation and proposed recommendations for the North Atlantic Right Whale Working Group.
 - Discussions on planned surveillance
 - Request maps be produced overlaying active fishing areas with sighting information
 - Determine what active fisheries will be impacted by possible closures and may require delayed opening (proactively draft Notice to Fishers)
 - Determine if there are upcoming fisheries that may be of concern (based on area proximity to critical habitats, number of possible active licences, and other considerations).
- Inform counterparts in other Atlantic Regions and NHQ of the situation on daily North Atlantic Right Whale Working Group call. Include the following information:
 - Recommended action to be taken

- Map of the sightings overlaid with active fishing
- Any other relevant/important information
- Follow Information Flow Document for steps on informing senior management of recommendations (*Appendix F*).
- Following a meeting of the Atlantic Regional Directors, inform the Regional Incident Management Team of recommended action (*i.e. closure, continued monitoring*) (*Appendix C*):
- If required, Notice to Fish Harvesters is updated with details of pertinent information (*Appendix E*).
- Resource Management to organize a daily call (if necessary due to updated information) with the Regional Incident Management Team to update on:
 - Subsequent sightings of the same whale (if identified)
 - Additional confirmed sightings of other NARW
 - Surveillance measures required
- Resource Management to sit on daily call of North Atlantic Right Whale Working Group (organized by National Headquarters).

Conservation and Protection

- If required, action Variation Order to close fisheries via Marine Broadcast.

Communications

- Communications materials are prepared and circulated through regional/national approvals to respond to media, as required.

B) DYNAMIC AREA CLOSURE

When a single NARW is confirmed in known Critical Habitat (*Appendix A*) fisheries will be **closed and planned openings will be delayed**. A Dynamic Closure will be implemented via a pre-determined grid system (*Appendix D*) covering a 3 x 3 (9 in total) grid with each grid representing 10 x 10 minutes. The closure will be applied to all fixed-gear fisheries, including tended gear.

The closure will remain in effect for a 15-day period after which time it will be revoked unless there are additional confirmed sightings. The dynamic closure can be extended following the 15-day period if there are additional confirmed sightings. Prior to the closure being revoked, there must be a minimum of two surveillance flights without any confirmed sightings of NARW in the closure area. One of these flights must be within the last five days of the closure.

Resource Management- Marine Mammal Advisor/Response Coordinator will:

- Consult fisheries opening list (*Appendix B*) for active fisheries and confirm with Senior Advisors/Managers that there are fisheries active in the area.

- Arrange a meeting of the Regional Incident Management Team (*Appendix C*) to discuss situation and actions to be taken.
 - Discussions on planned surveillance
 - Request maps be produced overlaying active fishing areas with sighting information
 - Determine what active fisheries will be impacted by closure and may require delayed opening
 - Defining the closed area on a grid map (10x10 min grid) (*Appendix D*)
 - Updating a Notice to Fish Harvester with details of pertinent information. Note: Notice must have Ministerial approval before being released. (*Appendix E*)
 - i. 48 hours of notice will be provided to retrieve gear once the Notice to Fish Harvesters has been distributed. (Unfavourable weather conditions will be considered and the Notice to Fishers will be worded accordingly).
- Request Variation Order through Conservation and Protection detailing closure.
- Marine Mammal Advisor to update North Atlantic Right Whale Working Group of actions being taken.

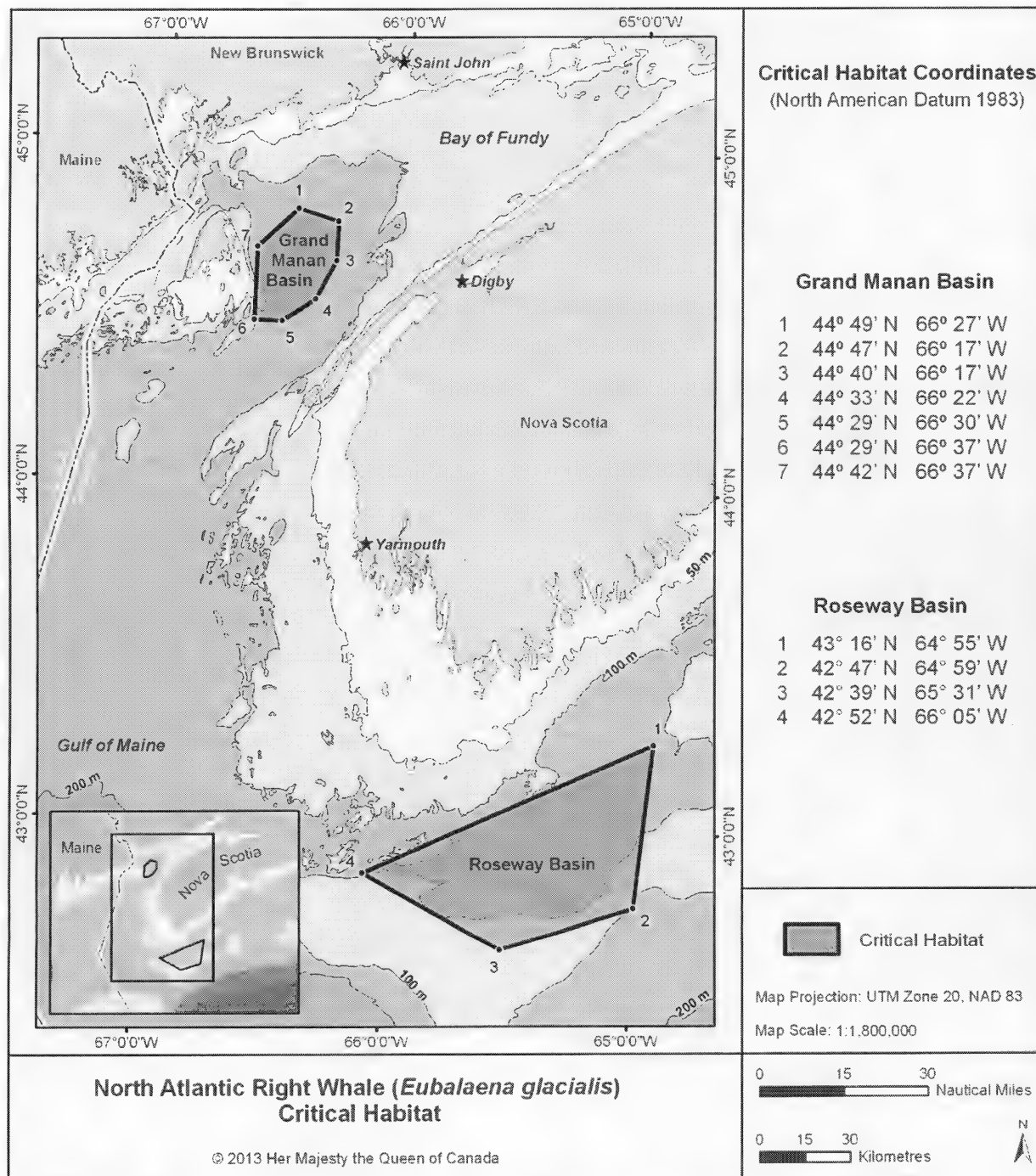
Conservation and Protection

- Draft and seek approval of Variation Order from Regional Director General and action via the Marine Broadcast.

Communications

- Prepared communications materials are distributed and media contacts are notified upon approval and as the variation order is published.

Appendix A: North Atlantic Right Whale Critical Habitat

(From Recovery Strategy for the North Atlantic Right Whale (*Eubalaena glacialis*) in Canadian Waters)

Appendix B: Maritimes Region Fisheries Times

NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
4VWX	Atlantic halibut	Longline		Year-round					Yes
4WX5z	Groundfish	Gillnet		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4X5	Groundfish	Longline		Year-round	*5Z is closed early- Feb-Jun 1				Yes
4Vn	Atlantic halibut	Longline		Year-round	now				No
4T	Atlantic halibut	Longline		varies - expect first opening April-May 2018	now				No
LFA27	Lobster	Traps/pots	481 licences	May 15	Jul 15				No
LFA 28	Lobster	Traps/pots	14 licences	April 30	June 30				No
LFA 29	Lobster	Traps/pots	63 licences	April 30	June 30				No
LFA 30	Lobster	Traps/pots	20 licences	May 19	Jul 20				No
LFA 31a	Lobster	Traps/pots	72 licences	Apr 29	Jun 30				No
LFA 31b	Lobster	Traps/pots	71 licences	Apr 19	Jun 20				No
LFA 32	Lobster	Traps/pots	157 licences	Apr 19	Jun 20				No
LFA 33	Lobster	Traps/pots	695 licences	Nov 26	May 31				No
LFA 34	Lobster	Traps/pots	979 licences	Nov 26	May 31				No
LFA 35	Lobster	Traps/pots	95 licences	Oct 14	Jul 31				No
LFA 36	Lobster	Traps/pots	177 licences	Nov 13	July 9				No
LFA 38	Lobster	Traps/pots	136 licences	Nov 13	Jun 29				No
Grey Zone	Lobster	Traps/pots		Jun 30	Nov 09				Yes
LFA 41	Lobster	Traps/pots	8 licences	Jan 01	Dec 31				Yes
	Hagfish	Traps/pots		Apr 12	Oct 01				Yes
	Herring	Gillnet		Year round but active Summer/Fall					No
	Whelk/inshore	Traps		Late Summer/Fall					No
	Whelk/offshore	Traps	700 traps	Late Summer/Fall					No
	Large Pelagics	Longline	Approx 45 active licences	Year round but active May-Nov					Yes
	Mackerel	Gillnet		Apr 01	Dec 01				No
CB Area	Mackerel	Trapnet		Early Summer- November					No
CB Area	Herring	Trapnet		Early Summer-					No

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NAFO Division/ Area	Fishery	Gear	Magnitude /Amount Gear	Open	Closed	Active April	Active May	Active June	VMS?
				November					
CFA 20-22	Snow crab	Traps/pots	78 licences	Apr 14 – May 13 & July 21- Aug 18					No
CFA 23	Snow crab	Traps/pots	62 licences	Apr 01	Aug 31				Yes
CFA 24 E	Snow crab	Traps/pots	54 licences	Apr 01	Aug 31				Yes
CFA 24W (4X)	Snow crab	Traps/pots	9 licences	Nov 01	Mar 31				Yes
LFA 34	Jonah Crab	Traps	7 licences	Jun 18	Nov 17				
LFA 33	Jonah Crab	Traps	15 licences	Apr 01	Nov 10				
LFA 32	Jonah Crab	Traps	1 licence	Jun 27	Dec 31				
LFA 38	Jonah Crab	Traps	5 licences	Mar 01	Oct 31				No
LFA 27	Rock Crab	Traps	16 licences	Aug 15	Dec 31				
LFA 29,31a,31b,32	Rock Crab	Traps	12 licences	Aug 07	Dec 31				
LFA 34	Rock Crab	Traps	2 licences	Jun 07	Nov 22				
LFA 35	Rock Crab	Traps	4 licences	Aug 07	Oct 07				
LFA 36	Rock Crab	Traps	5 licences	Mar 01	Dec 31				No
4WX5Z	Red Crab	Traps	2 licences (1 licence is EA)	Jan 01	Dec 31				Yes

Green = updated

Blue = active fishery, may require coverage

Appendix C: Maritimes Region North Atlantic Right Whale Incident Management Plan

This document outlines the plan for a Regional Incident Management Team (RIMT) to prepare for, and support, response to incidents involving north Atlantic right whales in Maritimes Region. The Team will undertake planning to prepare DFO and CCG for right whale presence in and near active fishing areas, and will support decision-making for current and future incident response in the case of entanglement or mortality of right whales in Maritimes Region.

Three categories of potential right whale incident are anticipated within Maritimes Region in 2018:

1. Right whale detections (visual or acoustic) in or near active fishing areas, and in right whale critical habitat (CH);
2. Right whale entanglement;
3. Right whale carcass observed, at sea or beached.

The Team will support the effective functioning of the Incident Commander (IC, as per Incident Command System terminology) in the field during response to an incident, including field response to incidents of entanglement and mortality e.g. resolving issues that are beyond the capacity of the incident commander, coordinating regional resources, coordinating with partner agencies and stakeholders.

Incident Management Team Objectives

1. When right whale sightings or incidents occur, use DFO expertise to identify areas of right whale entanglement risk, based on sightings information and current fishing activity.
2. Provide timely advice to the National "NARW Working Group" (Appendix 1) which will meet daily as needed, in response to right whale sightings in Maritimes Region.
3. The national group will provide advice to the Regional Director of Fisheries Management and Maritimes Region Regional Director General for fishery management response or incident response, reflecting the protocols developed for incident response (and held by the Marine Mammal Coordinator).

Procedures

- Meet as frequently as necessary to review right information relevant to sightings or incidents
- Sightings: review map of sightings overlaid with current fishing activity data, to identify current and imminent areas of entanglement risk.
 - Confirmed right whale detections provided daily by Science or by C&P
 - Maps of fishing vessel VMS data prepared by OCMD
 - Information from Fishery Advisors about currently active, and approaching, fishing seasons
- By liaising with the surveillance planning group, this Team can anticipate planned surveillance flights and be aware of fishing that will be active in areas where right whales may be sighted during the coming days.
- Prepare advice to RD Fisheries Management recommending management measures or response as necessary.
- Advise RD of any presence or activity of right whales that requires further discussion or examination, which will trigger the following steps according to the national information flow protocol:
 1. The RD sends notification via the Whales Alert Email Distribution List (Annex 1)
 2. A teleconference is convened with Atlantic RDs and DG FRM (NHQ/FRM is secretariat)

3. A review of the situation is undertaken and a decision on action (if any) taken.
4. Appropriate action initiated (and update provided to Whales Alert Email distribution)

Outputs

- **Map** identifying risk areas, and management measures put in place if applicable.
- **Situation Report** within one hour, or as soon as possible after the meeting ends, to RD and RDG, summarizing information and presenting fishery management advice for reducing right whale entanglement risk, or other action as appropriate.
- Communications products when necessary: Notices to harvesters, media lines, social media, identify spokesperson for media interviews as needed

Group composition:

DFO staff are assigned to this group based on their expertise. Core Group are staff whose expertise is required on each call in response to any of the three incident types. Area Office staff will be required if the incident in question takes place within their area, and Senior Advisors for specific fisheries will be required when an incident involves one of their fishing areas or fishing gear from one of their fisheries.

Name	Sector	Alternate	Role / Expertise (<i>italics reflect ICS terminology</i>)
Core Group			
Cathy Merriman	Resource Management	Marilyn Sweet	<i>(Planning Coordinator)</i> Chair
Marilyn Sweet	Resource Management / Species at Risk	Christa Waters, Cathy Merriman <i>On some weekends, Alan Reeves, Tim Hayman</i>	<i>(Team leader)</i> Liaise with relevant Fishery Advisors, Directors
Christa Waters (A/ Manager)	Resource Management	Marilyn Sweet	<i>(Deputy team leader)</i> Liaise with Directors
Heidi Schaefer	Species at Risk Management	Katie Hastings	<i>(Subject Matter Expert)</i> Provide SARA context including entanglement action plan
Pam Emery	Science	Hilary Moors-Murphy	<i>(Subject Matter Expert)</i> Sightings data; Liaise with the Surveillance Planning Team
Brad Pye	C&P, Enforcement	Gavin Hendsbee	<i>(Subject Matter Expert)</i> Liaise with C&P, Surveillance Planning Team
Mark Labelle	C&P, Policy and Regulatory Development	Scott Mossman	Regulatory, compliance, legal advice <i>(Legal Advisor)</i>
Debra Buott-Matheson	Communications	Jazmine Hayden	<i>Communications Coordinator</i> , media, social media
Scott Coffen-Smout	OCMD	Diego Ibarra	<i>(Subject Matter Expert)</i> Provide and interpret daily VMS maps
Area Offices – as required			
Sarah Cheney	Resource Management, SWNB area office	Jeff Dionne	Provide information about current fishing activity, liaise with industry and community.
Dwayne Surette	Resource Management, SWNS area office	Jemie Lent	Provide information about current fishing activity, liaise with industry and community.
Lorne Penny	Resource Management,	Janet Langille	Provide information about current fishing

Name	Sector	Alternate	Role / Expertise (<i>italics reflect ICS terminology</i>)
	ENS area office		activity, liaise with industry and community.
Todd Somerville	C&P, SWNB area office		Advise on C&P role, support etc.
Chris Sperry	C&P, SWNS area office	Brian Emin	Advise on C&P role, support etc.
Donald Horne	C&P, ENS area office	Paul Morash, Scott Phillips	Advise on C&P role, support etc.
Fishery Advisors – as required			
Sara Quigley	Lobster, Hagfish, Whelk	Manager or area office	Provide information about current fishing activity, liaise with industry.
Tim Hayman	Snow Crab	Manager or area office	Provide information about current fishing activity, liaise with industry.
Penny Doherty	Groundfish	Matt Fraser Manager or area office	Provide information about current fishing activity, liaise with industry.

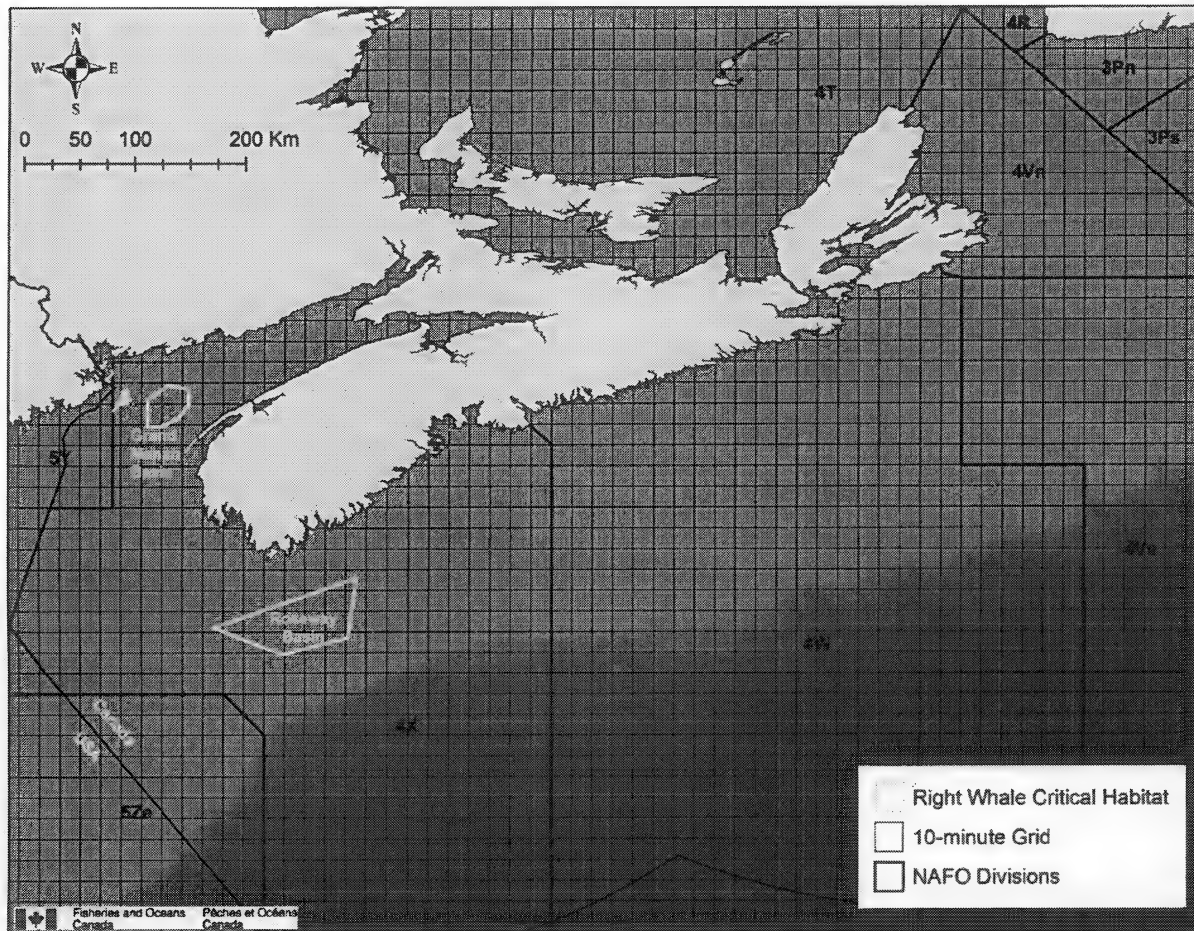
Appendix 1 (of Maritimes Region North Atlantic Right Whale Incident Management Plan): National / Zonal “NARW Working Group”, formed April 2018

Purpose: Daily phone calls to review right whales sightings information and make decision(s) & recommendation(s) based on information about right whale sightings and current fishing activity. First call planned for 10 a.m. (Eastern) on 8 May 2018.

Name	Sector	Region
Randy Jenkins	Resource Management	NHQ
Brett Gilchrist	Resource Management	NHQ
Isabelle Elliott	Resource Management	Gulf
Antoine Rivierre	Resource Management	Quebec
Marilyn Sweet	Resource Management	Maritimes
Jackie Keane	Resource Management	NL
Jody McRory	Resource Management	NHQ
Kendra Moore	Resource Management	NHQ
Melissa Landry	Resource Management	NHQ
Alexis Van Bommel	Resource Management	NHQ
Simon Nadeau	Science	NHQ
Christine Abraham	Science	NHQ
Jean Landry	Science	NHQ
Josée Annie Verville	C&P / Enforcement	NHQ
Corina Busby	Species At Risk	NHQ
Cathy Merriman	Species at Risk	Maritimes

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Appendix D: Maritimes Region in 10x10 minute grid



Appendix E: Notice to Fisheries

Notice to Fish Harvesters

Month, XX, 2018

MARITIMES REGION ATLANTIC RIGHT WHALES PRESENT IN CRITICAL HABITAT AREA

Dartmouth – Fisheries and Oceans Canada (DFO) –Maritimes Region is providing a notice of new temporary fisheries closures due to the presence of a North Atlantic Right Whale (NARW) in the Roseway Basin/Grand Manan critical habitat area on DATE, 2018.

The closure will be applied following a grid system (see map below). The following grids will be closed to fixed-gear fishing activities: **Include grids**. The closures will take effect on **DATE, 2018** at **23:59** Atlantic Daylight Time (ADT). DFO is providing a 48 hours advance notice, to provide licence holders the necessary time to retrieve gear from the areas that will be closing. All gear must be removed from the closed area before the time of closure.

The closures will remain in effect until further notice. In the event that the area is reopened, DFO will inform industry prior to the reopening. The closures will be in effect for all fixed gear fisheries in both the commercial and the food, social and ceremonial fisheries.

The coordinates representing the closed area are listed below: (INPUT REQUIRED POSITIONS)

Points	Positions	
	Lat. North	Long. West
1.	42° 41' 46.232"	65° 20' 0.000"
2.	43° 0' 0.000"	65° 20' 0.000"
3.	43° 0' 0.000"	64° 57' 12.810"
4.	42° 47' 0.000"	64° 59' 0.000"
5.	42° 41' 46.232"	65° 20' 0.000"

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Harvesters are asked to remain vigilant while on the water and while hauling and setting gear. Please report all sightings of North Atlantic right whales in addition to all marine mammals that are in distress or dead. All sightings of North Atlantic right whales should be reported to XMARwhalesightings@dfo-mpo.gc.ca or 1-844-800-8568. Furthermore, please be reminded that it is the responsibility of the licence holder of commercial fisheries, and the participants of all communal fisheries, to take into account the marine safety notices issued, among others, by Environment and Climate Change Canada and Transport Canada, as well as the standards and best practices in marine safety, and to take all measures to ensure a safe fishery.

Regular updates and right whale sightings maps will be posted at the following address:
<http://www.dfo-mpo.gc.ca/species-especes/mammals-mammiferes/narightwhale-baleinenoirean/alert-alerte/index-eng.html>

We appreciate the efforts the fishing industry is undertaking to help protect right whales.

FOR INFORMATION:

Resource Management
Fisheries and Oceans Canada
Dartmouth, NS
DFO.MAR-FM-GP.MPO@dfo-mpo.gc.ca

Map identifying grid closure area for Roseway Basin OR Grand Manan due to the confirmed presence of NARW

INCLUDE MAP

Appendix F: 2018 Information Flow Protocols for Fisheries Management Measures (National Protocol)

1) Confirmed live NARW Sightings by Trained Personnel

- a) If a live NARW is observed in the area of NAFO division 4T subject to “temporary closure” measures:
 - i) Personnel on the aircraft (or vessel) notifies the TC Situation Centre
 - ii) TC Situation Centre sends location of sighting, plotted on a map that contains the established grid quadrants, to the NARW Urgent Distribution List (see Annex 1)
 - iii) The Gulf FAM on-duty initiates the Variation Order process to close fixed gear fisheries in a 3 x 3 quadrant area around the quadrant containing the NARW
 - iv) NHQ will brief up on the situation to senior management
- b) All confirmed NARW sightings reported through the science established process to the Maritimes science group:
 - i) A daily sightings map containing the location of the NARW sighted the previous day will be prepared by DFO science and transmitted mid-morning to recipients via the Whales Alert Email Distribution List (see Annex 1)
 - ii) Following receipt of the science information, a daily weekday conference call of a NARW Working Group (NARW WG) (representatives from FAM/Science/SARA with NHQ/FRM as secretariat) will be convened to review map and determine if there is any activity that warrants engagement of more senior management (DG/RDs) (WG membership – see Annex 2)
 - iii) The relevant RD is advised of any presence or activity of NARW that requires further discussion or examination
 - (1) The RD sends notification via the Whales Alert Email Distribution List (*Annex 1*)
 - (2) A teleconference is convened with Atlantic RDs and DG FRM (NHQ/FRM is secretariat)
 - (3) A review of the situation is undertaken and a decision on action (if any) taken.
 - (4) Appropriate action initiated (and update provided to Whales Alert Email)

2) Incident involving *LARGE WHALE (alive or dead) – (**bigger than a minke*)

- a) Whether report is from DFO personnel, call to DFO or call to Third Party 1-800, first point of contact is MM Coordinator (or designate – regions to specify contact number) in relevant region
- b) MM Coordinator notifies via the Whales Alert Email Distribution List (see Annex 1) of the report.
- c) MM Coordinator works with the relevant response network, C&P, Science, SAR, Communications, CCG etc and initiates the appropriate response
 - i) For entanglements, entanglement response protocol to be followed
 - ii) NOTE: If an entanglement is spotted from an aircraft the personnel can call the TC Situation Center to report and they can forward via the Whales Alert Email Distribution List
- d) Subsequent situational updates via the Whales Alert email (*Annex 1*) at discretion of the relevant RD

3) Incident involving smaller whales or OTHER MARINE MAMMAL (alive or dead)

- a) MM Coordinator is the focal point for response
- b) If likely to be high profile / receive media attention, MM coordinator notifies Whales Alert Email (*Annex 1*)
- c) If lower profile, notify only RD as per regional protocol
- d) MM coordinator initiates the appropriate response
- e) Subsequent Updates to Whales Alert Email at discretion of relevant RD

Third Party External Communications:

Third Party response network groups and any external person aboard a surveillance flight will be asked to obtain a “green light” from DFO/NHQ before any external communications related to whale sightings or incidents (unless there are other pre-approved arrangements in place – e.g. notification of mariners in the area for safety reasons)

Annex 1 – Email Distribution Lists

1) NARW Urgent Distribution List (from TC)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry

NHQ C&P: Darren Goetze, Judy Dwyer

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

RD FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert

DFO Comms: Ashley Jackson

Science: Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle

2) Whales Alert Email List (from Science)

ADMO FHM: Sylvie Lapointe, Lindsey Patrick

NHQ RM: Adam Burns, Randy Jenkins, Brett Gilchrist, Melissa Landry, Alexis Van Bommel, Jody McRory, Kendra Moore

C&P: Darren Goetze, Judy Dwyer, Josée Annie Verville, Mike Cherry, Marc Naud, Lloyd Slaney, James Graves

RD/Dir FAMs: Frank Quinn, Annette Daley, Maryse Lemire, Robert Lambert, Tony

Blanchard, Jacinta Berthier, Marc Lecoffe, Denis Gros-Louis

Science: Arran McPherson, Jean Landry, Simon Nadeau, Christine Abraham, Micheal S Elliott, Stephanie Ratelle, Mike Hammill, Jack Lawson, Hilary Moores-Murphy,

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MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre, Pat Hall

SAR: Heidi Schaefer, Catherine Merriman

Comms: Kathryn McElhone, Marian Hubley, Ingrid Nielsen, Kathleen Smith, Ashley Jackson

Other RM: Annette Rumbolt, Christa Waters

Annex 2. Membership of NARW Working Group (NARWG WG)

Chair: Brett Gilchrist

FAM Members:

MM coordinators: Isabelle Elliott, Marilyn Sweet, Jackie Kean, Antoine Rivierre

NHQ: Jody McRory, Kendra Moore, Melissa Landry

Science Members:

Jean Landry, Simon Nadeau, Christine Abraham

SARA Members:

Catherine Merriman, Corina Busby

Tab 1 – Dynamic and static closures adapted from the snow crab memo EKME 3888772

Fisheries and Oceans Canada (DFO) will implement a static closure and dynamic closures in the areas frequented by NARWs to help minimize the risks of NARW interactions.

Dynamic management for 2018

Fisheries and Oceans Canada (DFO) will implement a trial protocol for the dynamic management of fisheries in 2018 which would close areas in the Gulf of St. Lawrence (GSL) to fishing activities when the presences of North Atlantic Right Whales (NARWs) are observed. This protocol would allow DFO to close specific areas to fishing activities to prevent incidents with NARWs without the need to shut down the entire fishery, causing less economic impact on the fishing industry. The objective is to have a tool available if NARWs are present outside the static zone, and found in areas where fishing activities are present. This approach is an adaptation from the National Oceanic and Atmospheric Administration protocol. The implementation of the protocol will depend on dedicated aerial surveillance efforts.

The closure will be a 10 x 10 minute grid which represents (~ 225-239 km² similar to soft shell grids). Grids are pre-determined rather than based on where the whales are present. The confirmed sighting from a trusted source of one whale within a forage area (therefore likely feeding and aggregating), will trigger the closure of nine full grids providing a buffer area around the sighting location to account for whale movements. The closure would provide a protected zone of approximately 2,033-2,152 km².

Closures would be in force for 15 days and extended by 15 days from a last NARW sighting. If NARWs are not seen during at least two aerial surveillance flights in good conditions during the 15 day period, the dynamic closure for the relevant sections would be automatically lifted at the end of the period (one flight has to be in five days previous to end of first 15 day closure). Flights are subject to weather conditions, as well as the information gathered from flights (i.e. poor visibility). If circumstances preclude aerial surveillance in the five day period before the end of the first 15 day period, the fishing closure would be extended until the second surveillance flight can be conducted in good conditions and verify absence of whales. The closures would be regulated by a variation order under the *Atlantic Fisheries Regulations* or condition of licence.

Fish harvesters would be provided an advance notice of 48 hours to retrieve gear from the area prior to closure. Providing fish harvesters less than 48 hours to retrieve fishing gear would be viewed as an unsafe measure implemented by the Department, since some harvesters fish at a far distance from shore, and appropriate weather conditions must be favorable to ensure fish harvesters are not jeopardizing their safety. The less time DFO allows fish harvesters to retrieve their gear, the higher the potential of abandoned gear in closed areas. Last year, over 200 snow crab traps were left abandoned in the area that closed on July 14, 2017, due to the presence of NARWs.

Industry is not in favour of dynamic closures and expressed their discontent at the Southern Gulf Crab advisory meeting. Harvesters are concerned that fish harvesters will move their gear along the line of the closed area, creating a fence effect and consequently, become a prime zone for whale entanglement.

As this protocol may result in large areas being closed to the fishery, this will reduce fish harvesters' fishing territory, and may increase the risks of fish harvesters being unable to fish their allocations.

Static Closure for 2018

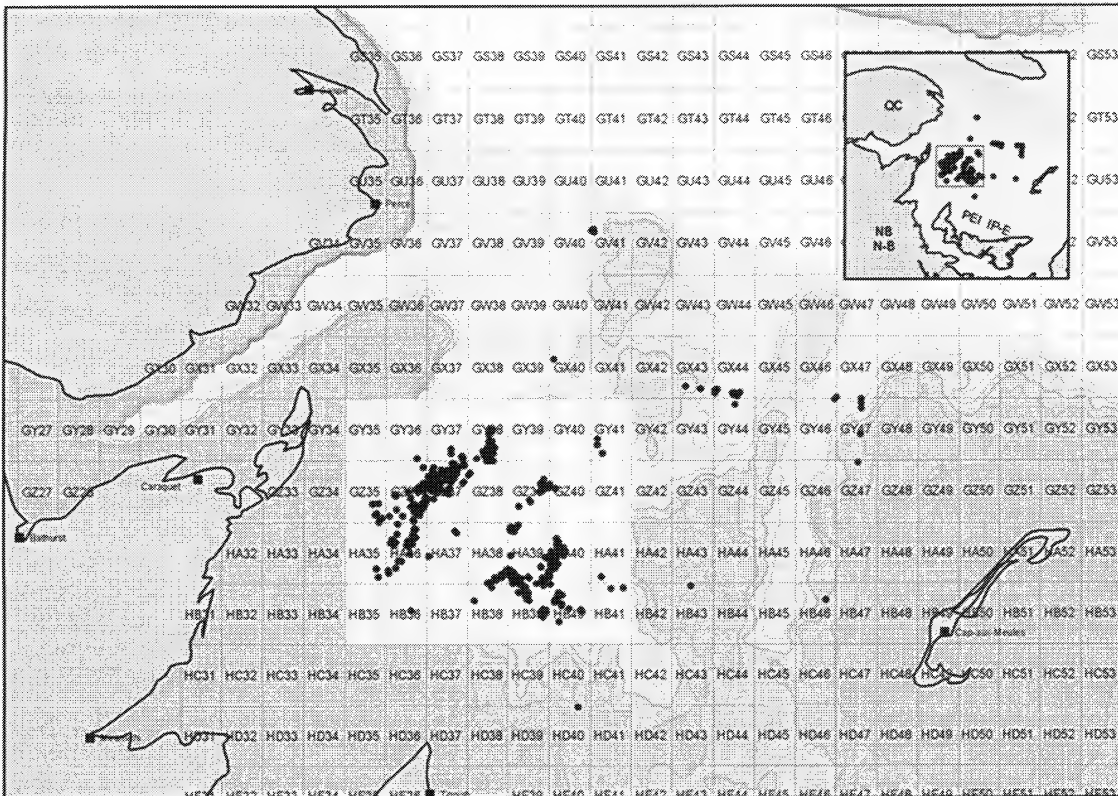
DFO will implement a static closure for fixed gear in an area where 90% of NARWs observations occurred in 2017 on the assumption that NARW will return to this area earlier in the season when the some fisheries are active. This closure would represent a geographic area of 14,000 km², and would be closed starting on April 28, 2018 or sooner if whales are present. The static closure will provide a large gear-free area for the NARWs, thus reducing risk of gear interaction.

The proposed static closure is located in an area where high levels of snow crab fishing activities occur each year, and from which a portion of the available biomass was accounted for. The area also covers part of Lobster Fishing Area (LFA 23) which has active spring lobster fishery, rock crab, toad crab and whelk fisheries. The Atlantic halibut fishery also occurs in this area in July. This area is based on actual sightings data from 2017 only. NARWs are anticipated to return to the same area as early as late April as per CSAS (2018/007) advice (December 2017); however, DFO does not have historical information or trends on the presence of NARWs in the SGSL, and therefore there are significant uncertainties regarding the timing of arrival and potential distribution of NARW in 2018, or whether they will return to the same geographic area.

Data on previous years indicate that fish harvesters have a tendency to fish along the line of closed areas. Closing a large area where NARWs are expected to be foraging will increase the number of vertical lines in the water along the closed area. This would result in a fence effect, therefore increasing the risks of entanglements along the border of the closed area, should whales exit.

Implementing a static closure will likely have a negative impact on all fleets. This will result in smaller fishing territory, as well as forcing fish harvesters to undertake fishing efforts in more concentrated areas, which could lead to an increase in tensions on the water by fish harvesters as they compete for smaller areas to fish.

STATIC CLOSURE BASED ON 90% OF NARW SIGHTINGS JUNE-JULY 2017



North Atlantic Right Whale Resource Management Planning | Produced by Science - Aquatic Resources Division, Gulf Region | For Internal Use Only | Last Update: 15/03/2018

Maritimes Region Fishing Industry Engagement – North Atlantic Right Whales (NARW)

Summary Information 2017-18


- 1. List of Advisory Committee Meetings and Dedicated NARW Engagement Sessions when industry representatives and stakeholder groups were engaged in discussions related to mitigation measures to reduce risks of interactions with fishing gear.**
- 2. Maritimes Region – Attendees list for focused Engagement Session related to North Atlantic Right Whales – 2017-18.**
- 3. Briefing Material –Various decks (4) used to engage industry and stakeholder groups on measures to protect North Atlantic Right Whales from September 2017 to April 2018**

Maritimes Region - Engagement Summary related to North Atlantic Right Wha			
Date	Name of Meeting	Location	Presentation made (yes / no)
26-Sep-17	Maritimes Region Lobster Advisory Committee (M	Dartmouth	yes
27-Sep-17	Scotia Fundy Fishing Industry Roundtable	Dartmouth	yes
4-Oct-17	LFA 36 Advisory Committee		yes-background deck
5-Oct-17	LFA 38 Advisory Committee		yes-background deck
12-Oct-17	Grand Manan Fishermen's Association	Grand Manan	yes-background deck
16-Oct-17	LFA 33 & 34 Science Committee	Shelburne	yes-background deck
24-Oct-17	CFA 20-22 Advisory Committee	Sydney	yes-background deck
25-Oct-17	CFA 23 Advisory Committee	Sydney	yes-background
26-Oct-17	CFA 24 Advisory Committee	Sydney	yes-background deck
27-Oct-17	Easter Fishermen's Federation (EFF) board meeting	Moncton	yes
21-Nov-17	Yarmouth NARW Engagement Session	Yarmouth	yes-2017 NARW
28-Nov-17	Sydney NARW Engagement Session	Sydney	yes-2017 NARW
29-Nov-17	Port Hawkesbury NARW Engagement Session	Port Hawkesbury	yes-2017 NARW
1-Dec-17	Dartmouth NARW Engagement Session	Dartmouth	yes-2017 NARW
1/23/2018	Sydney NARW Workshop	Sydney	yes-2018 NARW
1/24/2018	Port Hawkesbury NARW Workshop	Port Hawkesbury	no
2/7/2018	Yarmouth NARW Workshop	Yarmouth	yes-2018 NARW
2/27/2018	CFA 20-22 Advisory Committee	Sydney	yes/short MMPA-LC
2/27/2018	Maritime Mackerel Advisory Committee	Dartmouth	yes/short MMPA-LC
2/28/2018	CFA 23 Advisory Committee	Sydney	yes/short MMPA-LC
3/1/2018	CFA 24 Advisory Committee	Port Hawkesbury	yes/short MMPA-LC
3/2/2018	Hagfish Advisory Committee	Dartmouth	yes/short MMPA-LC
3/8/2018	Scotia Fundy Ground Fish Advisory Committee	Dartmouth	yes/small (webex)
3/22/2018	Dartmouth NARW Workshop	Dartmouth	yes-2018 NARW
3/26/2018	St. George NARW Workshop	St. George, N.B.	yes-2018 NARW
3/27/2018	Grand Manan NARW Workshop	Grand Manan, N.B.	yes-2018 NARW
4/16/2018	Scotia Fundy Fishing Industry Roundtable	Halifax, N.S.	yes

North Atlantic Right Whale Consultation Attendees	
Maritimes Region - 2017-18	
Name	Representing
Yarmouth - November 21, 2017	
	NSDFA
	Coldwater Lobster Assoc.
	NSDFA
	Herring Co-Op
	Cape Breton Seafoods
	Brazil Rock 33/34 Lob. Assoc.
	NSDFA
	Novatec Braids Ltd
	M.F.U.
	M.F.U.
	LFA 34
Port Hawkesbury- November 29- 2017	
	GCIFA
	GCIFA
Nicole Sampson	Province of NS
Grant Timmons	C&P-DFO
Sydney - January 23, 2018	
	Area 22 & 23 Snow Crab
	Louisbourg Seafoods
	UINK
	Eskasoni/Crane Cove Seafoods
	Cape Breton Fish Harvesters
	Area 20-22 Rep
	Louisbourg Seafoods
	Louisbourg Seafoods/ENSMSS
	N-ENS Snow Crab Assoc.
	N-ENS Snow Crab Assoc.
	N-ENS Assoc.
	Area 22 Offshore Snow Crab Assoc.
Janet Langille	DFO ENS RM
Sydney - November 28, 2017	
Lorne Penny	DFO RM
	LFA 30/CFA 23
	CFA 23
	Louisbourg Seafoods/ENSMSS
	Louisbourg Seafoods/ENSMSS
	Cape Breton Fish Harvesters Assoc.
	N-ENS Snow Crab Assoc.
	Area 22 Offshore Snow Crab Assoc.
	N-ENS Snow Crab Assoc.
	Eskasoni/Crane Cove Seafoods
	CBFA
	Louisbourg Seafoods

Name	Representing
	N-ENS Crab Rep
	N-ENS Crab
	CBFHA
	UINK
	C&P Sydney
	Area 23
	Area 23
Janet Langille	DFO-RM
Dartmouth - December 1, 2017	
	Clearwater Seafoods
	Waycobah First Nation
	MAPC-MAARS
	Mi'kmaw Conservation Group
	MFU- Local 6 (Cape Breton)
Bill Whitman	NS Dept of Fisheries and Aquaculture
	NCNS
	MARS
Yarmouth - February 7, 2018	
	Bay of Fundy Inshore F.A.
	Comeau Seafoods
	LFA 34
	Cold Water Lobster
	Coldwater Lobster Assoc./SWLSS
Ashley Sprauge	NS Fisheries & Aquaculture
	Coldwater Lobster Assoc./SWLSS
Jonathan Underwood	DFO-SW Nova Scotia
	Cold Water Lobster Assoc.
	Herring Co-Op
	Mi'kmaw Conservation Group
	Scotia Garden Seafood
	Scotia Fundy Inshore Fish Assoc.
	MFU 9
	MFU
	MFU
	MARS
Dartmouth - March 22, 2018	
	Canada Wildlife Foundation
	G CIFA
	HUN Management Board
	HUN Management Board
	G CIFA
	Mi'kmaw Conservation Group
	Grand Manan Fishermens Assoc.
	Clearwater Seafoods
Bill Whitman	NS DFA
	NS Seafood Alliance

Name	Representing
Tim Hayman	DFO Resource Management
	MARS
Grand Manan - March 27, 2018	
	GMWSRS
	Fisher
	Fisher
	Fisherman
	Fisherman
	Fisherman
Chris McHatten	DFO
Mackenzie Collard	DFO
	Fisher
	Fisherman
	GMFA Fisherman
St. George, NB - March 26, 2018	
	CWRT
	Fundy North
	Fundy North
	Fundy Weir
	Fundy North
	Fundy North
	Fundy North
	Fundy North
	Fundy North
Terry Hatt	Dept. Agri., Aquaculture & Fish - NB
	FNFA
	FNFA
Sarah Kesselring Cheney	DFO
	Fundy North
	Fundy North
	Fundy North
	Fundy North
	FNFA
	FNFA



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Protecting North Atlantic Right Whales in Canada

*Cathy Merriman, Species at Risk Management,
Maritimes Region, DFO*

*Dr. Hilary Moors-Murphy, Ocean and Ecosystem
Sciences, Maritimes Region, DFO*

*Marilyn Sweet, Resource Management, Maritimes
Region, DFO*




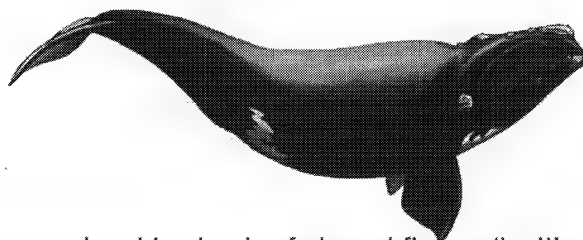
Photo credit: Johnne Surette

Canada

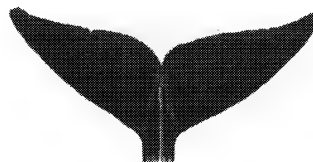
Overview

- Right Whale background
- Events of 2017 in Gulf of St. Lawrence
- Response from Government of Canada
- Science and monitoring
- Next Steps/Looking forward:
understand and mitigate threats to
NARW

North Atlantic Right Whale (NARW)



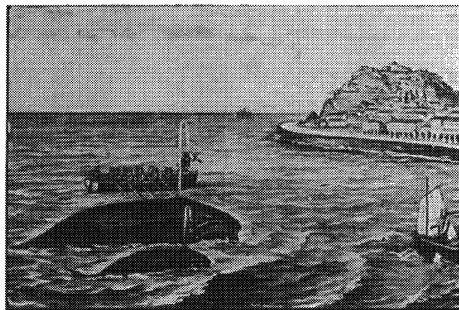
- Recognized by lack of dorsal fin, callosities, deep tail notch, and V-shaped blow



3

The "right whale" to hunt

- Commercial hunting in Europe, North America
- since 1500s
- close to shore
- slow-moving
- rich source of oil, baleen
- Centuries of hunting
- greatly reduced the population: 10,000+ to ~500

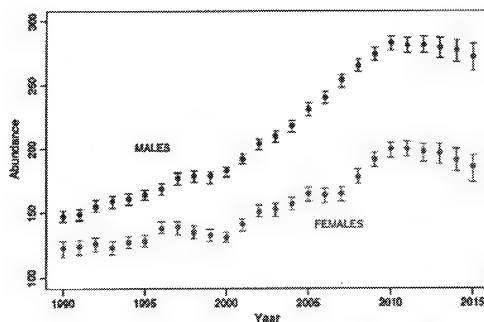


2017 Population update – in decline

- Endangered under the *Species at Risk Act*
- About **450** individuals; **105** reproductive females
- Slow recovery due to:
 - human activities especially vessel collisions, fishing gear entanglements
 - changes in food (plankton) distribution & abundance
 - naturally slow reproductive rate

5

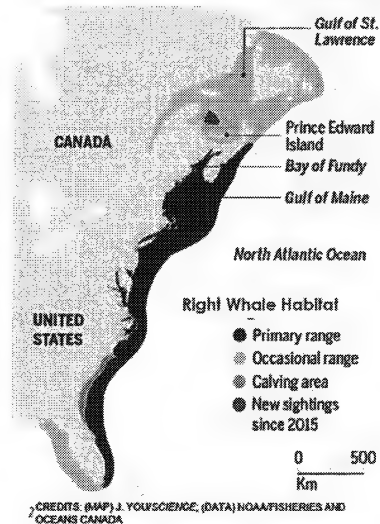
Right whale population trend



Pace et al., 2017

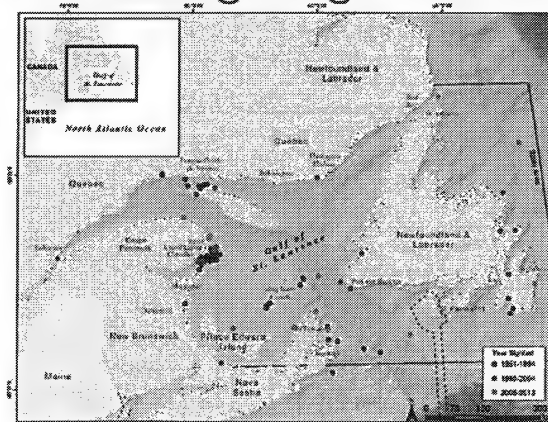
6

Observed change in distribution



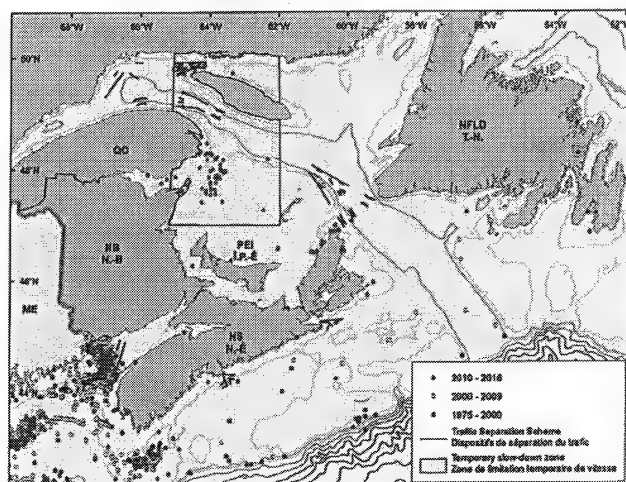
- Right whales' distribution seems to have shifted since ~2010.
- Fewer observations and acoustic detections in the Scotian Shelf, Bay of Fundy and the Gulf of Maine, except for Cape Cod Bay.
- Increased acoustic detections south of Cape Cod

Recorded Sightings 1951-2013



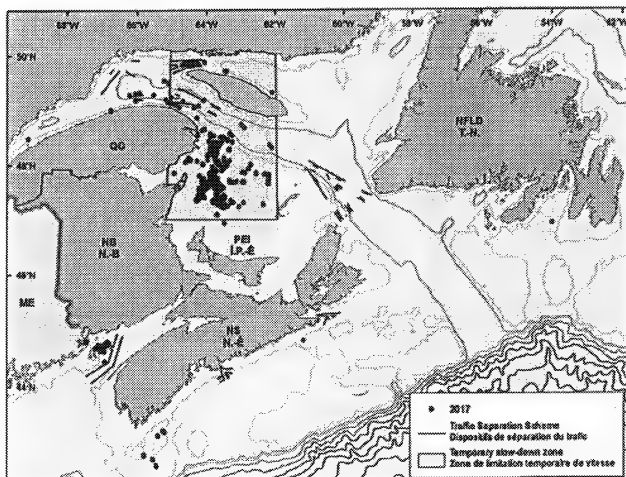
Brown et al. 2013 ; Annex 1 in Daoust et al. 2017]]

Recorded Sightings pre-2017



9

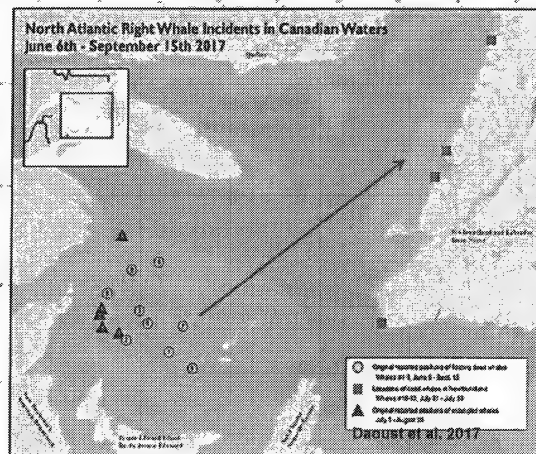
Observations in Summer 2017



10

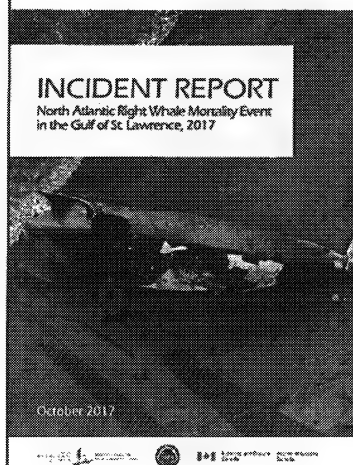
2017 Right Whale Incidents Gulf of St. Lawrence

- **12 dead** in the Gulf of St. Lawrence (7 June to 15 Sept.)
 - 7 necropsies
- **4 other right whales** found dead in the USA (most recent Oct. 23)
- **5 entanglements** in fishing gear
- Disentanglement operations **suspended** after the death of a whale rescuer



11

Final report on necropsies published on 5 Oct. 2017

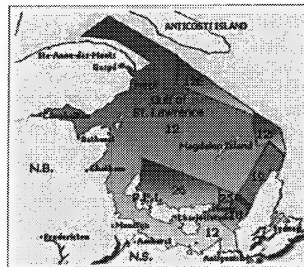


- Results of the first 6 necropsies
- 7th necropsy conducted in September (waiting for results, entangled)
- 1 mortality confirmed from **entanglement**
- 4 died quickly following blunt force trauma (**vessel collision**)
- 6th whale too decomposed to determine cause of death
- No evidence of biotoxin contamination, infectious disease or malnutrition.

12

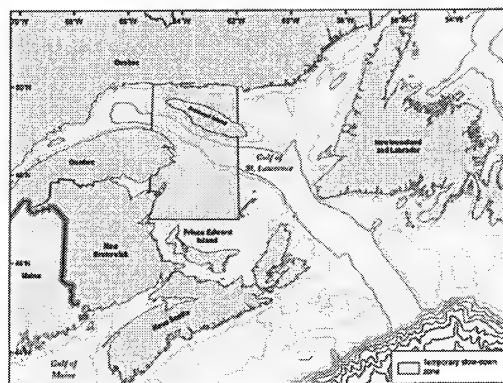
Management Responses: Fishing

- CFA 12 closed early due to right whale presence
- CFA 19, increased monitoring for right whale presence.
- Halibut longline fishery & sentinel groundfish fishery: new requirement to tend gear
- Fixed gear trap fisheries restriction to shallow water (less than 20 fathoms) meant some fisheries were limited & others didn't open
- DFO removed lost / abandoned traps (~250), increased surveillance



13

Management Responses: Vessel traffic speed restriction zone



- Notice to Shipping (NOTSHIP): voluntary (12 July)
- Revised 11 Aug: Mandatory rule until further notice, with authority to issue Administrative Monetary Penalties for non-compliance
- Reduce speed to max of 10 knots, vessels 20 meters or more.
- High level of compliance

14

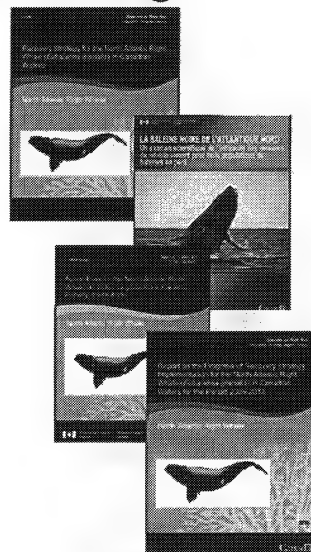
DFO Science: Research and Monitoring Program

- Developing plan to enhance visual & acoustic monitoring throughout Atlantic Canada to track whale "arrival", presence and determine habitat use
 - Aerial & vessel surveys
 - Real-time and longer-term passive acoustic monitoring
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- Developing research plan to understand effects of noise on North Atlantic right whale

15

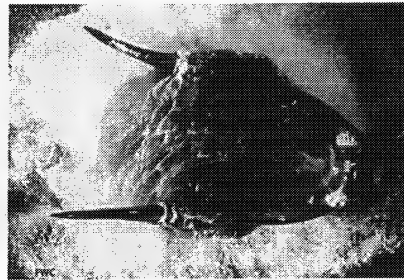
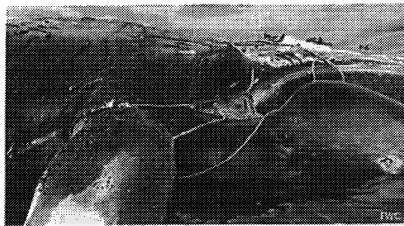
Right Whale Recovery Planning

- Species at Risk Act (SARA) – Endangered (2005)
- Recovery Strategy (2009, 2014: outlines threats, approaches; identified critical habitat)
- Progress report on implementation of the recovery strategy (2016)
- Action Plan: Fishery interactions (2016, waiting final approval)
- Oceans Protection Plan – Science Review
- Recovery Network; Implementation of recovery measures continues



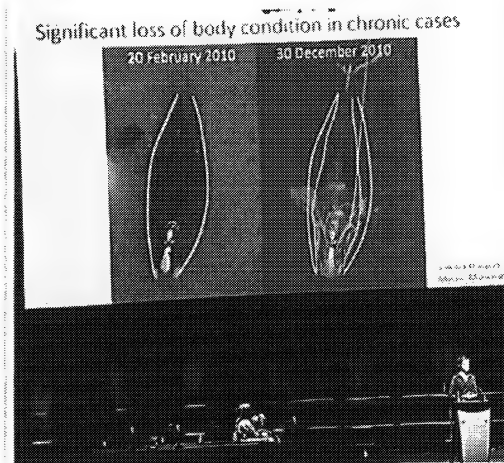
16

Reducing mortality and injury from entanglement in fishing gear



Sublethal effects of entanglement

Serious injury from entanglements has sublethal effect on population dynamics.

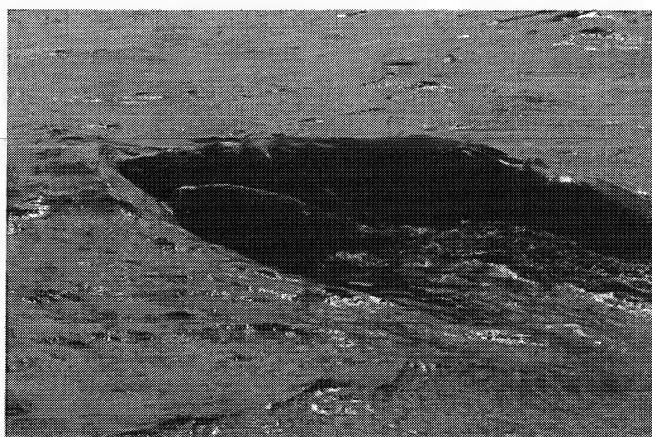


van der Hoop et al. 2015

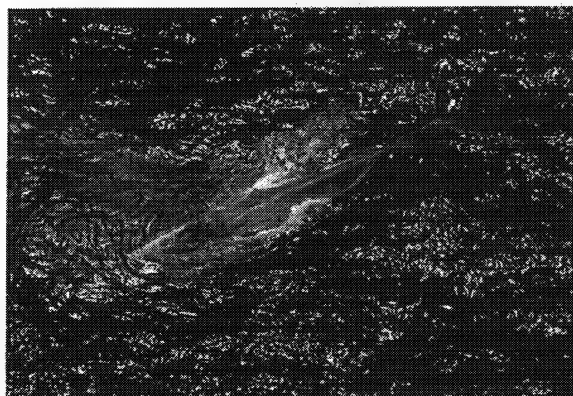
Sublethal effects of entanglement



Chronic entanglement



Chronic entanglement



Entangled right whales take average 6 months to die: starvation, infection

Acute entanglement

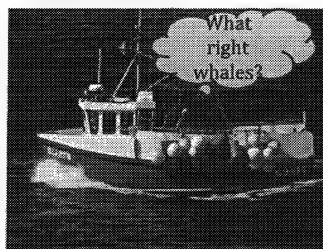


- 2012 Clam Bay, NS
- Right whale, 350m of rope
- Necropsy: likely drowned
- Source of rope not determined

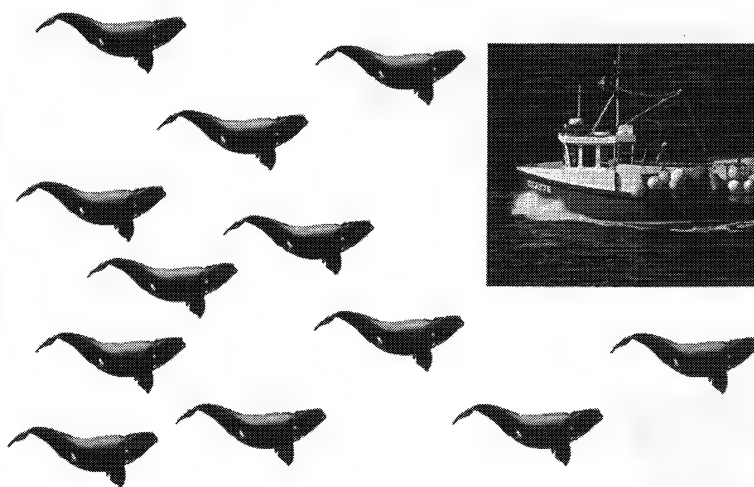


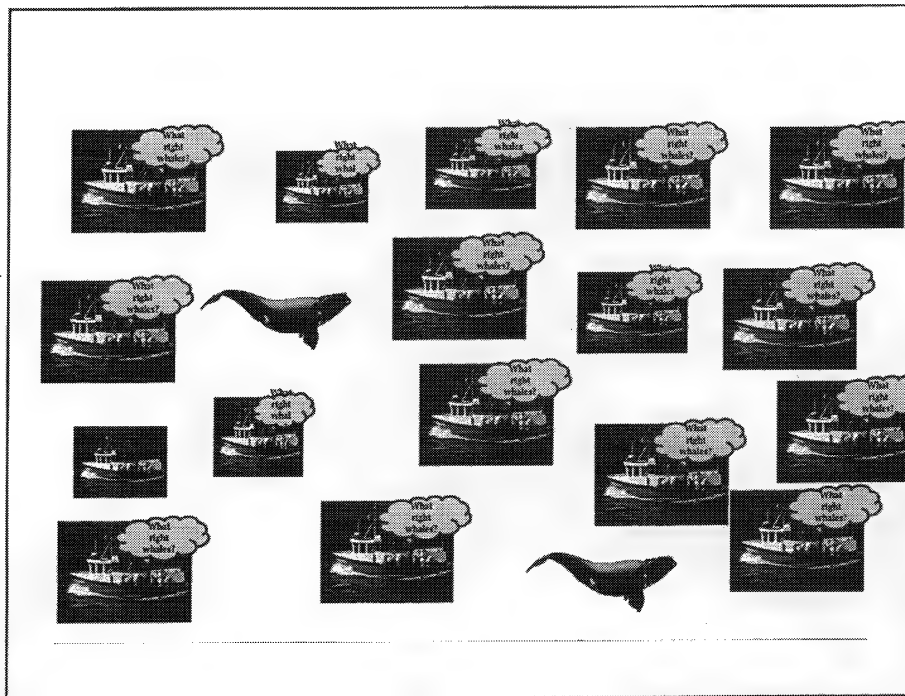
- 2017 Gulf of St. Lawrence
- 2 sets of gear 8 nm apart

Coexisting with right whales



Reducing entanglement risk: an asymmetrical challenge





Reducing entanglement risk

Hierarchy of measures:

- Avoid encounters (time-space) e.g. seasons, closed areas; remove rope from the water
 - Mitigate encounters (assumes they will happen: reduce frequency and severity, e.g. gear modifications
 - Respond (disentanglement – costly and dangerous)
- Gear marking is **not** for short- or medium-term prevention,
 - Monitor & understand entanglements over a longer time.
 - Only effective if implemented throughout right whale range.

Pros and cons?

- Costs
- Safety issue?
- Ability to detect effectiveness (MMPA; MSC)

New funding opportunity: Atlantic Fisheries Fund


- Funding available for new technology/equipment that improve quality and productivity
- Encourage initiatives to improve and drive innovation in the industry
- Repayable or non-repayable funding depending on size and type of project

27


Ideas to reduce entanglement risk

	Avoidance	Gear modification	Gear Marking
What?			
How?			
Pros?			
Cons?			
Likely results - whales			
Likely results - fishing			
Other?			

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Reducing Right Whale Entanglement Risk 2018 and beyond

Marilyn Sweet, Resource Management
Tim Hayman, Resource Management
Dr. Hilary Moors-Murphy, Ocean and Ecosystem Sciences
Cathy Merriman, Species at Risk Management
Brenda Bradford, Atlantic Fisheries Fund

DFO Maritimes Region




Photo credit: Jolanne Suratte

Canada

Overview

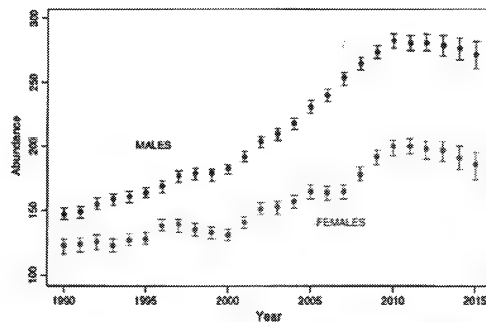
- Right Whale background
- Events of 2017 in Gulf of St. Lawrence
- Response from Government of Canada
- Science and monitoring
- Next Steps: Reducing right whale entanglement risk in Atlantic Canadian fisheries in 2018 and beyond

2017 Population update – in decline

- Endangered under the *Species at Risk Act*
- About **450** individuals; **105** reproductive females
- Slow recovery due to:
 - human activities especially vessel collisions, fishing gear entanglements
 - changes in food (plankton) distribution & abundance
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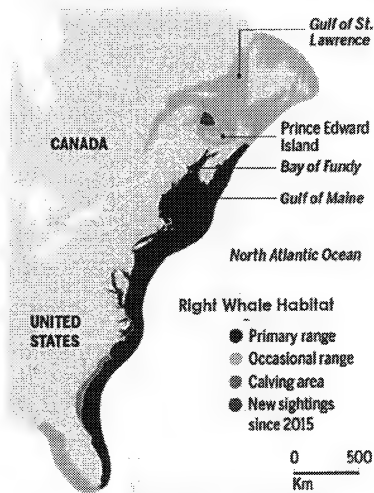
Right whale population trend



Pace et al., 2017

4

Observed change in distribution

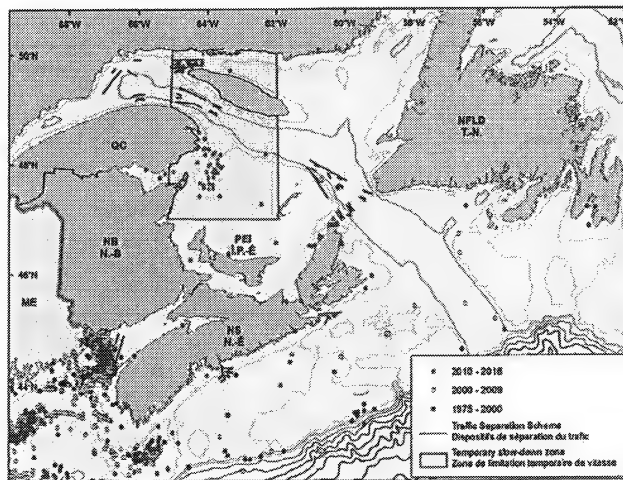


CREDITS: (MAP) J. YOUSCENCE; (DATA) NOAA/FISHERIES AND OCEANS CANADA

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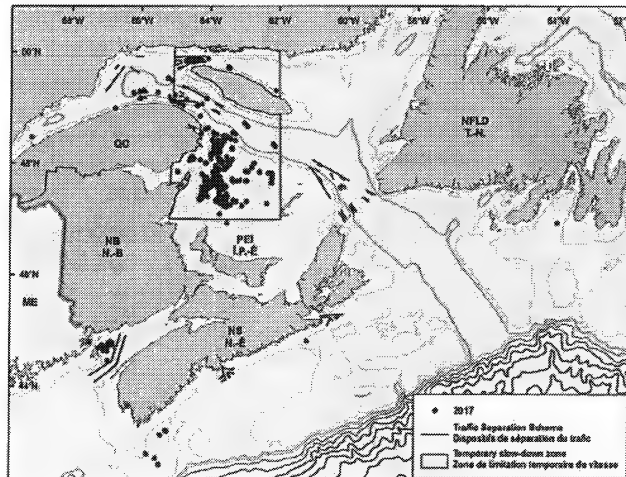
5

Recorded Sightings pre-2017



6

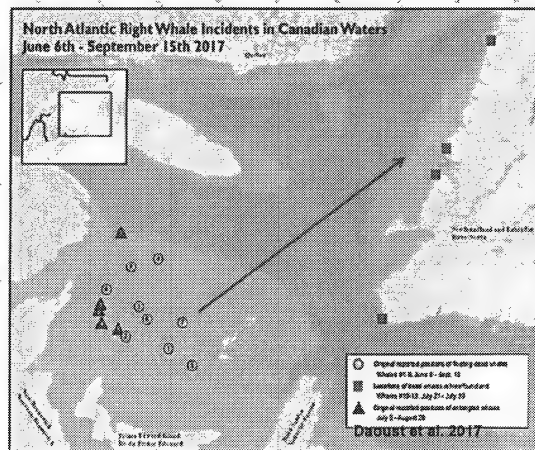
Observations in Summer 2017



7

2017 Right Whale Incidents Gulf of St. Lawrence

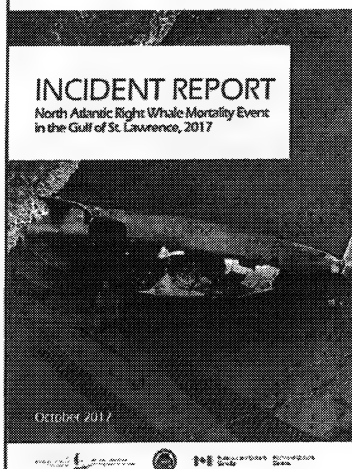
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8

Final report on necropsies

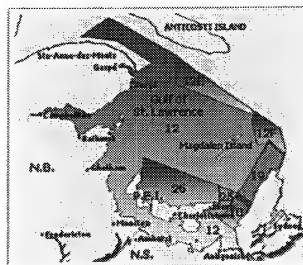
published on 5 Oct. 2017; updated January 2018



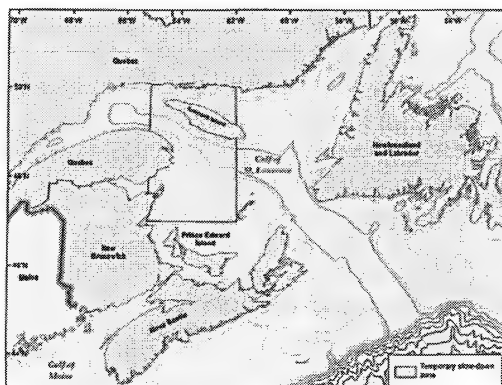
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Management Responses:
Vessel traffic speed restriction zone



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- Some fines issued
- High level of compliance

11

DFO Science: Research and Monitoring Program

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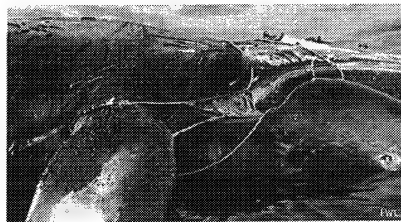
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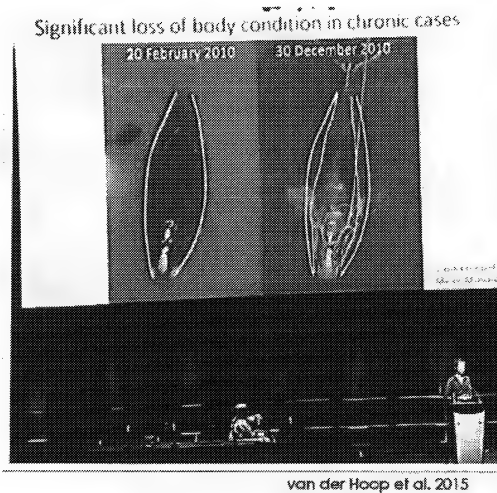
13

Reducing mortality and injury from entanglement in fishing gear



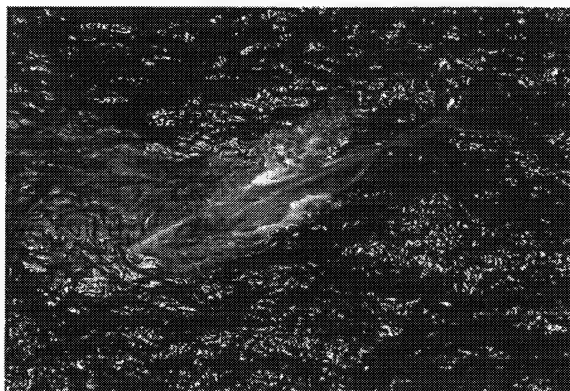
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15

Chronic entanglement

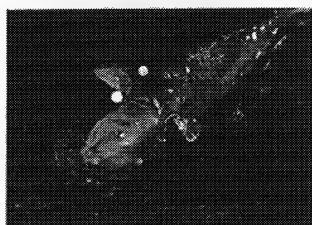


Entangled right whales take average 6 months to die: starvation, infection

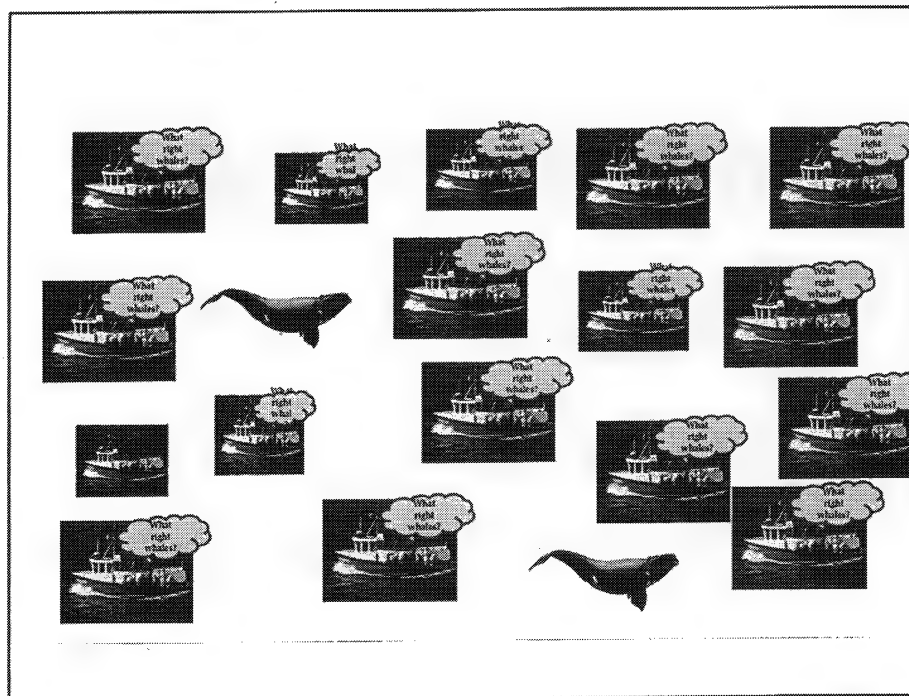
Acute entanglement



- 2012 Clam Bay, NS
- Right whale, 350m of rope
- Necropsy: likely drowned
- Source of rope not determined



- 2017 Gulf of St. Lawrence
- 2 sets of gear 8 nm apart



Reducing entanglement risk

RULES are coming.

- Industry opportunity to take leadership role

Hierarchy of measures:

- Avoid encounters (time-space) e.g. seasons, closed areas; remove rope from the water
 - Mitigate encounters (assumes they will happen; reduce frequency and severity, e.g. gear modifications
 - Respond (disentanglement – costly and dangerous)

Pros and cons?

- Costs
- Safety issue?
- Ability to detect effectiveness (MMPA; MSC)

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New funding opportunity: Atlantic Fisheries Fund

- Funding available for new technology/equipment that improve quality and productivity
- Encourage initiatives to improve and drive innovation in the industry
- Repayable or non-repayable funding depending on size and type of project

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Ideas to reduce entanglement risk

	Avoidance	Gear modification
What?		
How?		
Pros?		
Cons?		
Likely results - whales		
Likely results - fishing		
Other?		



Fisheries and Oceans
Canada

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Canada

Marine Mammals Update 2018

Marine Mammal Protection Act
New required Conditions of Licence
North Atlantic Right Whales

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Marine Mammal Protection Act

- The US requires Canadian commercial fishery bycatch for comparability findings.
- Findings will determine whether fishing practices are equivalent with US standards. If fisheries are equivalent, they can continue exporting to the US.

MMPA Continued

- DFO will be collecting data to estimate bycatch of marine mammals in specific fisheries.
- The US requires that bycatch estimates include incidental mortality and serious injury.
- This information will be collected through a required Conditions of Licence. A form for collecting the information is being finalized.

Licence Conditions

Marine Mammal Interaction Reporting

- a) The licence holder/operator must provide information regarding all lethal and non-lethal marine mammal interactions during fishing trips;
- b) For the purpose of subsection a), lethal and non-lethal interactions include bycatch, collision and all sightings of marine mammals entangled in fishing gear;
- c) The licence holder/operator must complete the DFO Marine Mammal Interaction Form and it must be submitted as per the instructions provided on the form.

Reporting of Lost Gear

- In response to the number of incidents involving North Atlantic Right Whales in 2017, DFO is requiring the reporting of lost gear for the 2018 fishing season.
- Details on how to report lost gear will be provided as soon as available.

NARW Risk Reduction

- Regional Workshops on avoidance and risk reduction measures for NARWs.
- Discussions on possible ways to modify gear such as reducing floating line, using sinking lines where possible, use of different buoy types, etc.
- Possible opportunities to test new gear types.
- Gear questionnaire to be developed and administered in coming months. Gather baseline information.

Reducing Right Whale Entanglement Risk 2018 and beyond

Update to Scotia Fundy Round Table

DFO Maritimes Region

April 16, 2018



Photo credit: Joline Surrette

Canada

Overview

- Update on fishing industry engagement
- USA Marine Mammal Protection Act measures
- North Atlantic Right Whale related measures
- Dynamic and Static closure considerations
- Surveillance and Monitoring
- Next Steps

2018 Updates

- To date, no calves have been seen in normal calving areas in 2018
- One NARW was discovered dead off of Virginia (January 22, 2018), entangled – gear of undetermined origin
- Anticipated that whales will be seen in Canadian waters in April and May

Maritimes Region Engagement

- A team from Maritimes Region Resource Management, Species at Risk Management Division and Science have held 10 engagement sessions and workshops around the region since November to solicit recommended measures to reduce risks to NARW
- Presentations made at more than 15 Advisory Committee and Association meetings

What we heard...

- One-size fits all approach will not work in the Maritimes
- Options for reducing risks need to be well thought out and measureable
- Fishers are concerned about Right Whales and want to help, but are also concerned about implications to their fishery
- Interest in increasing awareness and training in identification of NARW (and all Marine Mammals)

Categorizing Measures

- **Avoid** encounters (time-space) e.g. closed times / seasons, or closed areas; remove/reduce rope from the water
 - **Mitigate** risk of encounters, assuming the potential occurrence, adopt measures to reduce frequency and severity (e.g. gear modifications)
 - **Monitor** whale migration / presence and fishing related interactions (e.g. gear marking, unique colour combinations per fishery – post entanglement information)
 - **Respond** (disentanglement – new response protocol being finalized to mitigate risks)
-

Marine Mammal Protection Act (MMPA)

- List of Foreign Fisheries released by U.S. in 2017 classifying fisheries exporting to the U.S. as “exempt” or “export”
 - DFO will collect data to estimate bycatch of marine mammals in specific fisheries.
 - The US requires that bycatch estimates include incidental mortality and serious injury for comparability.
 - This information will be collected through requirements in Licence Conditions.
-

Marine Mammal Related Licence Conditions

Marine Mammal Interaction Reporting

- a) The licence holder/operator must provide information regarding all lethal and non-lethal marine mammal interactions during fishing trips;
 - b) For the purpose of subsection a), lethal and non-lethal interactions include bycatch, collision and all sightings of marine mammals entangled in fishing gear;
 - c) The licence holder/operator must complete the DFO Marine Mammal Interaction Form and it must be submitted as per the instructions provided on the form.
-

North Atlantic Right Whale Entanglement Mitigation Measures

- The Maritimes Region will be applying changes to Conditions of Licence related to Marine Mammals and specific measures to reduce the risk of entanglements for NARW. These include:
 - Maximum distance between primary and secondary buoy in some fisheries
 - No rope floating on surface at high tide when gear has been set for fixed gear fisheries
 - Mandatory reporting of lost gear
 - Mandatory reporting of Marine Mammal interactions

North Atlantic Right Whale Sighting Reports

Harvesters are asked to provide as much of the following information as possible:

- Date and time of sighting;
- the latitude and longitude of your position when whale was sighted;
- The number of right whales observed;
- Provide photographs if possible;
- Species Certainty (Certainty of species identification using the following codes ; 1 = unsure/possible, 2 = probable, 3 = definite) and;
- Identifying features (List the features used to identify the species e.g. no dorsal fin for the North Atlantic right whale):

XMARwhalesightings@dfo-mpo.gc.ca or 1-844-800-8568

Enhanced Surveillance

- DFO and Transport Canada have collaborated on development of an aerial surveillance plan for 2018.
- A DFO Science survey will be undertaken starting in April 2018.
- A DFO fishery surveillance plan to mitigate entanglement risks both in advance of fishing season as well as during active fishing operations

Dynamic vs Static Closures

- DFO is examining the use of dynamic and static closures for the 2018 season
- Dynamic closures are being considered: when whales are confirmed in active fishing areas and in Critical Habitat Areas:
 - Details of closure will be considered on a case-by-case basis (i.e. size of area closed, duration of closure, impact on adjacent fisheries, etc.)
- A static closure will be implemented in the Gulf of St. Lawrence in 2018

DFO Science Research and Monitoring Program

- Implementing a plan to enhance visual & acoustic monitoring throughout Atlantic Canada to track whale "arrival", presence and determine habitat use
 - Aerial & vessel surveys
 - Real-time and longer-term passive acoustic monitoring
 - Modeling suitable habitat based on oceanographic and plankton data
- Developing research plan to understand effects of noise on North Atlantic right whale

Questions and Discussion

Fisheries Engagement Workshop: Reducing Entanglement Risk to North Atlantic Right Whales

Sydney, Cape Breton

January 23rd 2018

Objective of meeting

The purpose of this meeting is to allow stakeholders and members of Indigenous Communities the opportunity to provide ideas on how to mitigate North Atlantic right whale (NARW) interactions and mortalities in the Maritimes.

These meetings are a series of follow-up meetings to the round of meetings that took place in Maritimes Region in November and December 2017 in response to the unprecedented NARW incidents that took place in Atlantic Canada in 2017.

Introductions (9:40-9:45)

Background Information – presentation by Cathy Merriman (9:45-10:10)

General Questions (10:10-10:20)

- What has DFO been doing to better learn where NARW occur in our waters?
 - Greatly enhanced aerial survey efforts in summer, fall and winter 2017 and into 2018 including chartered DFO Twin Otter, Transport Canada Dash 8, NOAA Twin Otter and C&P efforts
 - Enhanced aerial surveillance effort will continue in 2018
- Why are there so few NARW sightings in the Gulf region in previous years?
 - Maps are at least partially a reflection of search effort; there was very little search effort in previous years (though NARW have been occasionally reported in the Gulf for many years)
 - There does appear to be a distribution shift with more NARW using Gulf waters in recent years
- Where do NARW feed in the water column?
 - NARW feed throughout the water column, spending time both at the surface and at depth

Discussion of Ideas (10:20-12:45)

- CFA Areas 20-22 suggestions:

- Proposing reduction of traps in the water proposed
 - Group has proposed a 10% reduction of traps in the water
 - Amount of rope reduction = 125 fathoms set per trap *3 traps/license holder *78 license holders
 - Will reduce risk of entanglement
 - Potentially will reduce income into the fishery
- Maximum of one polymer buoy/trap (main buoy); secondary weaker Styrofoam buoy for end line/tail buoy (or gaff line)
 - These are weaker buoys that will break under pressure, would create less drag for whales if they do get caught in gaff line
 - Weak buoy added to the short gaff line
 - Will not reduce rope in the water
- Use weaker line for gaff lines/pick-up lines (e.g., 5/16 rope)
- N-ENS Snow Crab Association:
 - If NARW are detected during a fishing season, triggers some action (e.g., remove some number of traps from the water)
 - Gear tended every two days
 - Shorten rope lengths
 - Reduce number of traps in the water
 - Slow vessel speeds
 - Areas or portions of a fishing area can be closed on short notice via a variation order
 - Sink rope wherever possible
 - Use leaded rope where possible based on conditions
 - Keeps rope closer to the bottom
 - Costs associated with switching rope color
 - Potential for creating underwater loops when moved to shallower water
 - Need to shorten lines when moving between areas of different depths
 - Use red rope for a percentage of the fishers
 - Seek funding for having a portion of the fleet use red rope (thought to be seen better by NARW)
- Reporting of NARW sightings:
 - Education and awareness campaigns, training needed
- Reinstatement of flexible partnerships:
 - Flexi-partnership allows for only one partner needs to be on the boat during fishing, non-flexible partnerships requires both partners to be on the boat
 - Flexi-partnerships removed in the lobster fishery last year, current discussion of removing for snow crab fishery as well
 - Flexible partnerships allow for reduction of traps, removal will result in more traps in the water as when both partners are required to be on the boat then they tend to take separate boats
- Best practices:

- Would it be possible to document the current practices
 - Eg., How many fisheries use leaded line? Who uses tail buoys? What configurations do they set their gear in?
 - Needed to establish baseline
- Reduce the amount of rope to the extent possible
 - There is no general formula for minimum rope length
 - Dependent on depth, currents, tides,
- Reduction of speed to less than 10 knots, even for smaller fishing boats
- Ideas/discussion relevant for AFF:
 - What can industry partner with DFO on to gather information on whale occurrence and distribution patterns to better inform mitigation measures, and in particular avoidance of times and areas used by right whales?
 - Reporting of NARW sightings
 - Collection of acoustic detection data
 - Would deploying hydrophones on fishing traps be considered under AFF funds?
 - Limitation for AFF funding is that it cannot pay for DFO work; it can only be used to fund fisheries-led projects
 - Port-to-port education and training in whale ID, establishing a hotline for reporting sightings and for distributing information back to fishers
 - Be a place to interact with industry on a daily basis
 - A conduit for providing timely information back to industry
 - Need to establish clear two-way communication between fishers and DFO
 - Is it feasible to develop rope that can adjust length dependent on depth/tides/currents?
 - Zooplankton sampling
- Questions posed and concerns expressed:
 - What is being done by shipping industry and what responsibility will be put on them for reducing NARW mortalities?
 - Why did speeding ships not get fined?
 - How can you get buy-in from fisheries in NS when you are not enforcing regulations around other industries in the areas where NARW died?
 - It needs to be recognized that fisheries in Maritimes region are not always managed like it is in Gulf – e.g., NS crab fishery is not managed by lbs
 - What has the Bay of Fundy implemented, and what can DFO tell us about what has worked, what has not worked?
 - Will there be a regional meeting to finalize plans?
 - There is a wrap-up session planned, for April at the earliest
- Next steps:
 - Continue to have meetings within various areas to get feedback on proposed mitigation measures
 - Will take recommendations/discussion outcomes, summarize recommendations and report back to advisors to discuss proposed mitigation with relevant associations

- Have a wrap-up meeting to discuss proposed mitigation measures
- Recommendations relevant to this season must be brought to advisory committee meetings for discussion (end of February for Snow Crab)
- Is there an appetite for a regional multi-fishery working group to put together the recommendations?
 - Not much positive response on this for this coming season
 - Perhaps this is a longer-term goal to discuss future mitigations (as part of NARW Recovery Network or as the Recovery Network subcommittee?)

Fisheries Engagement Meeting - Dartmouth

Notes

Introductions (9:40-9:45)

Presentation (9:45-10:15)

Questions and Comments (10:15 - ~ 12:00)

Acronyms used:

NARW = North Atlantic right whale

DFO = Fisheries and Oceans Canada

NOAA = National Oceanic and Atmospheric Administration

GSL = Gulf of St. Lawrence

- How many NARW entanglements were there in the GSL? This seems to be linked to increased quota in the GSL.
 - There were five live entanglement and two dead entanglements in 2017.
 - There were also three dead NARW in 2015 (cause of death unknown), and two entangled animals linked to GSL snow crab gear in 2016.
 - GSL used floating line, which results in long lengths of horizontal rope at the surface. GSL should consider use of leaded lines, which tend to snap under pressure.
 - There was a piece of leaded line on the first entangled animal.
- How do we identify gear retrieved from entangled animals?
 - Identifying buoys help with identification of gear, though these are often lost during the course of the entanglement (much of the gear retrieved off NARW have no identifying buoys attached).
 - Gear marking programs such as those used in the USA could help identify gear pulled off entangled whales; there is discussion of expanding this program to Canadian waters.
 - Gear marking programs will need to be developed in collaboration with the USA.
 - Looking at rope diameter can give some clues.
- Have any fishermen been involved in necropsies to help identify gear?
 - Periodically fishermen are brought in to provide expert opinion on retrieved gear, more so in the USA.

- Developing a working group of fishers to help identify gear retrieved from entangled animals would be a good thing.
- Another issue is that we don't know what fisheries are doing right now in terms of how they set their gear.
 - One thing DFO is working on is getting a questionnaire out to as many fishermen as we can to better understand gear being used.
 - MARS has been developing a gear catalog for the past few years to help with disentanglement effort and to help identify gear retrieved from live or dead animals.
- Avoidance of times of years and specific areas used by NARW would be a good mitigation measure.
 - As occurs in the Bay of Fundy area.
 - GSL fishers have proposed several potential measures related to spatial-temporal avoidance NARW (e.g., opening earlier to avoid time of year when most NARW are in the area)
 - Area 23 fishers have proposed moving season to March 1st rather than April 1st.
- Should be at meeting with fishers during February Snow Crab quota meeting to discuss NARW.
 - In general, need to be inserted into fisheries management process to better educate fishers about what is going on and why/when mitigation is important.
 - DFO needs to be more agile in accepting mitigation measures proposed by industry.
 - DFO needs to prioritize development and implementation of mitigation measures.
- There is a need to increase knowledge of NARW occurrence.
 - DFO is developing enhanced NARW-focused research plans with partners which includes visual and acoustic monitoring, and many other activities.
- Need to discuss with fishers and increase communication about how fishers can help gather information on NARW and other whales. Outreach to industry to increase awareness and reporting of NARW presence is needed.
 - DFO does have a 1-800 hotline and email address for submitting sighting – pictures will be appreciated.
 - DFO and others such as MARS can also offer cetacean ID training. MARS is developing a webinar online training program. Time required for such training programs varies depending on how in-depth the training is: 2-4 hours in most cases.
 - MARS has an AFF proposal that includes training and outreach to fishers.
 - We need to discuss how to report in sightings – requires reporting and feedback.

- We also need to figure out how to get the information out to fishers and other ocean users (e.g., web platforms for displaying information, ID apps).
 - Do we need ID training to be put in as a mandatory training under license conditions? Can this be built into an existing reporting process?
 - Fishing vessels offer a good platform of opportunity for collecting data.
- DFO Gulf told some fishers to expect an MPA closure area for NARW in the GSL area. When can fishers expect to see this proposed area?
 - We do not have any specific information about that, should contact your DFO GSL contact about this.
 - There are ongoing consultations about an MPA network plan. Any potential areas will have a consultation period associated with them.
- Fisher was supplied with a sonar/pinger/fish-finder (~10K) that projects forward to indicate presence of large animals like NARW – can other boats be quipped with this? Will it be an effective mitigation measure?
 - This active acoustic system indicates when approaching a large object, can then be more vigilant to see if the object can be seen.
 - Mounted to bow.
 - Potentially used to avoid collision, especially when hauling gear (e.g., for trawlers).
 - Generally short range, very little reaction time. Maybe only effective as a mitigation measure for smaller vessels that can more easily maneuver.
 - Such active sonars could potentially harass animals depending on the type of signal produced.
 - Could similar technology be used to detect whale food and thus possible presence of NARW?
 - Would need more information about this technology to be able to answer this.
- How would ropeless gear work?
 - Line spooling technology is being investigated.
 - Line-less gear uses an inflatable bladder to float gear.

Fisheries Engagement Meeting - Yarmouth

Notes – H.B. Moors-Murphy

Introductions (9:30-9:35)

Presentation (9:35-10:05)

Questions and Comments (10:05 - ~ 12:30)

** Indicate questions we should look and be able to provide more thorough answers with for next meeting, may also be able to send a short handout to the participants at this meeting with answers to these questions that were posed*

- What was age of animals that died this summer?
 - 2 to more than 37 years old
 - How many of the animals that died this summer were females?
 - 4 of 12 animals in Canada were females
 - What are we doing to understand right whale prey?
 - Whales are going to follow their food, what do we know about their food?
 - Sampling, modeling of prey is ongoing work to understand right whale prey
 - Used prey maps (based on models) to inform surveillance efforts this past summer/fall
 - Changes in quality of their food also impact where the whales are
 - At what depth do right whales feed?*
 - Are whales getting entangled in nearshore or offshore fisheries?*
 - Can we tag right whales to track where they go?
- Right whales feed at a range of depths
 - They feed at the surface (skim-feeding) and at depth (lunge feeding), evidence of mud on heads of animals show that they go right to bottom
 - We need to look closer at this and what we know before we can answer
 - Difficulties in satellite tagging right whales
 - Concerns about health impacts
 - Need a better anchor mechanism for longer-term tags

- Can we tranquilize right whales to help with disentanglement?
 - Has been done, but difficult to do
 - Poses a risk of drowning to the individuals
 - A lot of unknowns about tranquilizers and right whales
 - Not preventative, still only relevant to a small portion of entanglements we can respond to
- Whales this summer could have died of ice
 - An analysis has been done on this and evidence shows that this is not the case
- How does noise impact whales?
 - Noise can impact whales in a variety of ways
 - Ship noise is long-term and continuous, can cause masking, difficulties communicating, disturbance, stress
 - Louder sounds (like seismic airgun shots) can cause disturbance, potentially physical damage such as hearing threshold shifts
- Can we put sounds on nets to scare right whales away
 - We don't know enough about sounds that deter the whales and how the whales will react
 - An example is a study on using sound producing devices to deter whales from ships to prevent vessel strikes, which caused right whales to surface in front of the vessel (an unwanted reaction)
 - Also putting more sound in the environment may have unwanted effects such as deterring animals from an important feeding ground
- What is the Oceans Protection Program all about?
 - Large focus on looking at noise impacts on right whales
 - Also looking at collision avoidance
 - A key focus is work on increasing understanding of when and where right whales occur to help us better understand overlap with human activities
- How will gear marking be implemented?
 - Lots of possibilities - weave in different colored line, tape (electrical tape is fairly durable), paint
 - In US, marking rule doesn't say how you have to mark
 - Gear marking will provide information on what fishery is entangling whales, but will not stop entanglement

- Are offshore fisheries marking gear?*
- We would need to look more closely at the NOAA requirements for gear marking to see what is occurring on offshore fisheries
- Break-away lines as a possible mitigation measure
 - Novabraids has a proposed solution
 - Putting every 40 feet on vertical lines
 - Some breakaway, but unsure if due
 - 1700 lbs breaking point strength for Cape Cod Bay
 - Problem is that tides in Bay of Fundy area require much greater breaking strength – 1700 lbs you are not getting your gear back
 - What is the lowest breaking strength required to fish safely and effectively for any given fishery? Dependent on depth, tides, currents, bottom type, etc.
- Education is needed for fishers
 - How to identify different whale species
 - Where/how to submit sightings
- There is an over-reaction to the events this past summer, media constantly blames fisheries
 - We are here not to place blame, but to discuss solutions
- Are there still whales in the Gulf?
 - Yes, whales are still in the Gulf (evidence from recent aerial surveillance flights)
- When the right whales leave the Gulf, what track will they use?
 - The whales will not leave at all of the same time
 - Unsure when they will leave and what route they will follow
 - Same goes for when they return in the spring
 - First right whales sightings reported in the Gulf this summer were in May
 - Some of animals sighted in Gulf were seen in Cape Cod Bay weeks before
 - Need to take a closer look at data collected this past summer and minimum travel times for individual whales
 - Right whales can move great distances in a short period of time
- How does oil and gas activities impact right whales?
 - Are oil and gas industry getting a free ride?
 - We are concerned and paying attention to oil and gas activities
- Fishermen want to work with DFO on right whale issues with entanglement
 - Fishermen will report whales

- Most of fisherman around probably don't even know this situation with the whales is going on – education would help
- The fishing industry is prepared to work with DFO and to do things to help, but don't just point the fingers towards us; prove to us that 33/34 Lobster has impacts on the whales
- Not about blaming, there is a problem and we need people to help solve the problem
- We need to stop talking about what the US is doing, we need to come up with our own solutions
 - Whatever we do, we need to be able to show that what we are doing is working
- People need to keep in mind that we can't prevent dying whales – it could be toxins, lack of food, etc; whales will die no matter what we do
 - But that does not negate the need to mitigate the human-caused deaths that we can
- Discussion of mitigation themes
 - Avoidance (e.g., starting season earlier, closures based on concentrations of whales)
 - Fly-overs before start of season (pre-season surveillance) – currently voluntary for 33 & 34
 - If whale is encountered, don't set gear and give a 1-2 nm birth (short distance mitigation)
 - Need to get information out there about where whales have been seen
 - VHF channel dedicated to updates on whale sightings (weather channel)
 - Social media (Facebook, twitter), webpages would have more limited use, text?
 - Gear can be moved in fairly short time frame, but depending on weather
 - 24 hours if weather good
 - Might be days if weather bad
 - Gear modification
 - Don't use extra rope (3:1 ratio for length of rope buoy to depth)
 - Weaker line for vertical line in water column to anchor, then stronger ground line between traps
 - Would not work in all areas in Bay of Fundy
 - Need to consider how to string out ground line to ensure it is close to bottom

- Buoy line on only one end of the string of traps
 - Won't always work because if tide isn't running right way, you might end up pulling on the wrong end (against the call)
 - Weak links
 - Need the rope strength
 - More pots on one string if feasible
 - Note that a document outlining basic "best practices" for reducing line in the water in writing would be helpful
-
- Reporting of lost gear and program for retrieving lost gear
 - Gear marking

Fisheries Engagement Workshop: Reducing Entanglement Risk to North Atlantic Right Whales

Grand Manan, New Brunswick

March 27th 2018

Objective of meeting

The purpose of this meeting is to allow stakeholders and members of Indigenous Communities the opportunity to provide ideas on how to mitigate North Atlantic right whale (NARW) interactions and mortalities in the Maritimes.

These meetings are a series of follow-up meetings to the round of meetings that took place in Maritimes Region in November and December 2017 in response to the unprecedented NARW incidents that took place in Atlantic Canada in 2017.

Introductions (9:05-9:25)

Background Information – presentation by Cathy Merriman (9:25-10:15)

Questions and Discussion (10:15-12:10)

- Are the potential impacts of summer Aboriginal fishery in this area being considered and consulted?
- Why are fishermen being targeted?
 - What other threats are being looked at (prey decrease, noise, shipping, etc)?
 - What is being done about contaminants and potential impacts on copepods in the BoF?
- There is a need to document what mitigation has been done and is currently underway
 - DFO does not have a good handle on what these fisheries have done and needs to put these in writing
 - DFO is developing a gear survey to better understand what has been and is currently occurring in fisheries in terms of how and what gear is set
 - Will link into MMPA requirements/needs
- Have any whales been definitely been entangled in the BoF?
 - Yes, there have been documented cases
- Sinking line
 - Difficult to implement in the BoF because of high tides/currents
 - Minimize/no rope floating at surface
- Minimizing amount of line in the water
 - BoF fisheries reduces the amount of gear in the water to the extent possible

- Need to document how BoF fishers have been doing this
- Minimize rope length between primary and secondary buoy
 - In BoF what could be implemented – needs to be discussed with your fisheries observers
- BoF fishers already fish multiple traps/rawl (longer trawls – used to be ~20 traps/rawl but now many fishers put ~50 traps/rawl) in deeper water
 - Also minimize length of ground lines between traps/put traps closer together to reduce amount of groundline
 - Set with the tide to minimize slack and potential looping of rope between traps
- Rope breaking strength
 - Typically use 9/16 inch rope
 - Can use load cell measurements on the line to measure rope strength required to lift traps and demonstrate that fishers are using the minimum breaking strength needed for the area (a potential proactive experiment for BoF area that could be run)
 - Could use weaker rope at the top of the vertical line to haul the thicker/stronger rope attached to the trap
 - 3/8 inch rope at the top of the line
 - Length of weaker rope that could be used varies depending on depth/area, anywhere from 1/3 to 2/3 of line
 - Pro is that small rope doesn't catch as much in the tide (less resistance) so stays more vertical in the water column; costs less; weaker breaking strength
 - Con is that thinner rope wears faster so need to keep an eye on it; more risk of losing gear
 - Already in practice in area – already used by many fishers, but would need to phase in any rule/condition (3 years or at least two seasons to phase in)
- Use of red rope
 - NARW see in shades of grey; in some cases red end of spectrum stands out more against background (but can depend on area and time of year)
 - Has been an experiment done in Cape Cod Bay that shows NARW could avoid red pipes vs other color pipes
 - There is science behind this observation
- Use of biodegradable rope
 - Could reduce longevity of entanglements
- Reduce "holding" gear in the water
 - Lines set to "claim" and area prior to lobster arrival and use of traps top fish
 - Creates a lot of extra lines in the water
 - Need a way to control for this
 - Is there flexibility for LFA-specific conditions as this may apply to some fishers but not all?
 - Need a commitment from DFO to be flexible in setting LFA specific measures that do not have to be 'sold' to all other fisheries before implementing

- Ghost gear
 - Less rope in the water would result in less entanglements; will DFO be paying attention to illegal fishing activities (traps being set in offseason with no vertical lines)?
- Lost gear
 - There will be a requirement to report lost gear in license conditions
 - Would like to know exactly which trap is missing
 - This could be problematic because of the amount of traps used in the area
 - Now how many traps are missing but not necessarily which exact one (ie., the trap number)
 - May take a long time to determine which trap is missing
 - Is it problematic for fishers to bring in lost gear that they find?
 - There is an issue with this as this is illegal
 - This would be practical and make sense to reduce lines in the water, but needs to be allowances in regulations
 - DFO C&P has the discretion to allow this if notified
 - Fundy North has some lost gear grants to help retrieve gear; but not necessarily targeting gear after season closes when it may be most problematic
 - C&P helps when they can but can sometimes be scheduling issues with boat availability (have a shared boat with Digby that services all of BoF area)
- Gear marking
 - Is there anything known about entanglement in ground line versus vertical lines?
 - NARW do use the whole water column – skim feeding on the surface, mud observed on head of animals; amount of entanglements associated with vertical lines vs ground lines is not entirely clear
 - NARW are most likely to get caught in gear when they are feeding
 - Gear marking could potentially start to offer more information on this issue
- Grey zone fishing
 - Fisheries in the grey zone use 12-trap trawls to avoid setting gear overtop of one another (decreases distance between end lines), which increases the amount of vertical gear in the water compared to fishing in Canadian waters (which often uses ~35 traps/rawl)
 - Could put an opening date in the grey zone; would greatly help to reduce rope in the water
 - Fishermen running hundreds of miles of gear between Nov-July with no traps to “claim” fishing areas; gear not tended during this period
- Increasing disentanglement efforts
 - BoF fishers are working to develop a new tool (stick with cutter) too quickly cut lines off whales that would be carried by fishers
 - Targeting all whales, not just NARW
 - Most entanglements in BoF area are humpbacks, as well as minke and fin whales
 - Folks need to contact trained disentanglement teams when approaching entangled whales to ensure safety for both humans and the whales

- This is a CWI initiative; will include training for fishers
 - Grand Manan C&P officers involved in effort
- Can we predict where the whales are going based on plankton/food?
 - NARW are thought to go where their food is, but in some cases their presence is not always correlated with copepod abundance (may use areas for other reasons as well)
 - DFO is actively conducting studies to better understand and predict copepod abundance across eastern Canada; do need more field measures/data to measure copepod abundance in various areas and validate models
 - Since 2008, researchers have been monitoring plankton levels in the BoF in August and September and have found that copepod abundance is decreasing as well as quality of the copepods available (less lipid content)
- Pre-season aerial surveys
 - Conducted collaboratively between C&P and association
 - Protocols put together in 2006
 - No instances of delays to fishing season since 2006
 - Includes reporting off all whales
 - Broadcasting of sightings is a part of plan
 - Voluntary avoidance of areas once received sighting
 - Now notify people via text message (all whale species) and track that the message has been received; email map of sightings so they can view where the whales were
 - Marine broadcasting of NARW sightings
 - Less effective to get message out to inshore fishers
 - Association can send email out to xmarwhalesightings@ email (reported by grip)
 - If there is any whale in the area (visible – within a mile or two), stay vigilant and avoid hauling/setting gear; don't try to move gear if already set
 - Fishers will report sighting back if they see whales in their area
 - Association provides information on how to ID whales in newsletters, handouts, etc
 - Regular updates and discussion through association keeps people informed and involved in latest protocols
 - Association can send email out to xmarwhalesightings@ email (reported by grid block)
 - Part of the reason this system works so well is because fishers are not implicated when they report; DFO needs to carefully consider this
- Can you play sounds to scare whales away from gear?
 - Whale reactions to sound are variable, may not have the desired reaction
 - Some species have tended to be attracted to the noise sources rather than moving away; in a NARW shipping study some whales didn't react while others moved towards hydrophone/sound source (in path of ship)
- What will be done if NARW are sighted in BoF in July this year (there is a ten day extension into July in the lobster season over the next three years)?

- This is being discussed at DFO national level; eg., dynamic management vs static closures, how will fishers be notified and how will gear be removed – lots of questions to be worked out

Next steps:

- Will compile notes and send back
- Will need to have more in-depth discussions with fisheries advisors

DRAFT

Fisheries Engagement Workshop: Reducing Entanglement Risk to North Atlantic Right Whales

St. George, New Brunswick

March 26th 2018

Objective of meeting

The purpose of this meeting is to allow stakeholders and members of Indigenous Communities the opportunity to provide ideas on how to mitigate North Atlantic right whale (NARW) interactions and mortalities in the Maritimes.

These meetings are a series of follow-up meetings to the round of meetings that took place in Maritimes Region in November and December 2017 in response to the unprecedented NARW incidents that took place in Atlantic Canada in 2017.

Introductions (9:10-9:15)

Background Information – presentation by Cathy Merriman (9:15-9:45)

Questions and Discussion (9:45-12:10)

- Are the entanglements causing more problems than they used to because NARW are generally not as healthy as they used to be?
- Can whales see rope underwater easier than they can see it on the surface?
- Thicker rope used to set snow grab gear creates difficulty for disentanglement
 - Disentanglement tools designed for thinner rope
- MMPA requirements and new license conditions
 - MMPA rule requires provision of information on both lethal and non-lethal interactions with marine mammals; this is being requested in all license conditions this year
 - MMPA also requires regulation around mitigation measures; voluntary practices will not count as mitigation under MMPA requirements
 - Seasons for BoF fisheries are offset from time NARW use our waters, reducing risk through avoidance; ghost gear may be main issue in BoF
 - Will conditions in license related to mitigation strategies help prevent tariffs being put on Canadian lobsters?
 - Need to start doing this now
 - What is the process for recognizing documented mitigation measures within various fisheries to meet the MMPA requirements, and how will what Canadian

fisheries are doing be defended to the USA to ensure that documenting these mitigation measures in license conditions actually has a benefit?

- Need more information on NCR process for dealing with MMPA

- Lost gear

- There will be a new requirement to report lost gear (being added to license conditions)
 - Requests information on lost gear to be sent within 48 hours
- Might be difficult to implement accurate reporting
 - Concern that reporting of lost gear will result in penalties to the fishery
- What is the plan for retrieving lost gear; C&P does not always have the tools or skills to grapple for lost gear (eg., St. George detachment doesn't have a boat that can grapple for gear)
 - Fundy North can help with retrieval of lost gear via contract but blanket permit for a year would help
 - If C&P retrieves, will they return it?
- Fishermen not allowed to bring ghost gear they find on their boat
 - Illegal for fishermen to retrieve lost gear during non-fishing season
 - Needs to be more effort to retrieve ghost gear, if not by fishermen themselves by C&P
 - Gear lost in the fall often gets retrieved by scallop fishery and brought in; but can depend on discretion of fishery officer (informal agreements to allow this to occur)
- Part of this needs to report if gear is being found – data needs to be cleaned up to ensure it accurately represent amount of gear left in the water
- How will illegal fishing with traps not marked by endlines that occurs in the summer in the BoF be addressed?

- Bay of Fundy fishing practices

- Less overlap with fishing practices and NARW presence for some fisheries
- In some fisheries, trips and gear sets are fairly short (e.g., 6 hour)

- Avoidance in terms of spatial-temporal overlap (not fishing when whales are present)

- Pre-season surveys to identify if NARW are observed in fishing area can prevent season from opening
- What is the threshold for closures?
 - Low risk tolerance
- If season is altered due to whale presence, how will it be changed?

- Breaking line/weak links

- Have been picking up a lot more buoys since American breakaway rule has been implemented in Gulf of Maine; 600 lb weak length is not strong enough; creates ghost gear issues as a lot more traps left on bottom
- While weak links will pull clear of the baleen in the mouth of the animal, however, knots used to tie on weak links will not pull through baleen plates (still gets stuck)
- An alternative is to have thinner line at the top of the gear (ie., lighter "string line"; just needs to pull weight of thicker rope up to surface), bigger line closer to bottom to take the strain of the traps once thinner line is used to pull thick line to surface
 - Thinner/lighter rope will pull through baleen more easily
 - Used by most fisheries in St. George/Campobello area

- Used in part to prevent gear loss (if rope gets caught up by a vessel, line will snap and won't lose traps)
 - About 1/3 of line should be smaller sink line at top, 2/3 of line thicker line to pull traps up
- Red rope
 - Some evidence that NARW see red end of the spectrum better than other colors; thus they may be able to see orange/red rope better than other colors
- Sinking line
 - If you sink end line but it loops in the water mid-water column, that might create an issue
 - Sinking line can rub on bottom and pick up more bottom debris and chaff away quicker
- Reduction of rope in the water
 - The trailing line on the surface should be minimized (one of conditions being put into license conditions based on logic that should reduce amount of line in water to the extent possible)
 - Need two end lines in case one line gets taken off (second end line is a backup); also need it to prevent traps from being laid over one another
 - Have reduced end lines in last decade by increasing number of traps on the trawls
 - Reduction of rope in water is the only thing that will really work in the BoF
 - Could remove grapple? line (line between primary and secondary buoy) - fishers could just grapple and haul, but more difficult; any safety concerns?
 - What is realistic maximum length for bottom lines? This could help reduce length of line in water as sometimes fishers lay whole trawl with two traps to 'stake a claim' on an area (can "hold their ground" for extended periods of time) which results in large amounts of rope in the water with few traps
 - For smaller boats, fishing traps in single and pairs because they can't haul larger number of traps (primarily in less than 20 fathoms/shallower water so less overlap with NARW occurrence)
 - Groundlines are all sinking line – less of an issue?
 - Amount of rope used in these BoF fisheries has been minimized to the extent possible
- Ropeless gear
 - Concerns about ability to use in BoF area
 - Grapple and a rope would be more useful and cheaper in the BoF
- Gear marking
 - A longer term broader program needs to be designed
- Identifying and reporting NARW sightings
 - Is there interest in training fishers on how to ID whales?
 - Sightings of free-swimming ANRW and other whale species can be reported via Whale Alert App, to DFO's 1-800 number or DFO xmarwhalesightings@ email address (dead or distressed animals should always be reported to the response networks)
- Baseline data on gear configuration is needed

- Questionnaire being developed to help learn about what various fisheries are currently doing
- Need to understand what people are doing now, especially if they may benefit whales and could be implemented in other fisheries
- Need this data to help understand if mitigation measures put in place were effective
- Do not have the information to measure effectiveness of individual measures
 - Can demonstrate that some measures make sense logically
- Other points
 - Sean Brilliant gave a presentation a number of years ago on how to best set gear in the Bay of Fundy (sort of an outline of best practices?)
 - Before any mitigation measures get put in license conditions, need to discuss with fisheries and ensure that they are actually beneficial to the whales and does not harm the fishery
 - Need to test with fishermen to ensure that mitigation measures are logistically feasible
 - Need time to phase in any mitigation measures/changes to fishery
 - Is there anything that will be put into effort this fall?

TAB 4: Background on North Atlantic Right Whales

The North Atlantic Right Whale (NARW) was listed as endangered under the *Species at Risk Act* (SARA) in 2005. The population estimate for 2015 was 458 animals (95% confidence interval (CI): 444-471 animals), of which only 186 (95% CI: 174-195) were females of reproductive age. Only 5 calves were documented in 2017 and no calves have been observed to date in 2018. There is evidence indicating that the population has been in decline since 2010.

Historically, most sightings of NARW, in Canadian waters have occurred off Nova Scotia. The SARA *Recovery Strategy for North Atlantic Right Whale in Canada* identified Grand Manan Basin and Roseway Basin as NARW Critical Habitat in 2009. While there appears to be a shift in distribution of NARW, the whales still occur in their identified critical habitat in the Maritimes Region. More than thirty years of NARW research data support that these two high-use habitats function as adult foraging and feeding grounds, calf nursing and rearing grounds, and resting and socializing areas for the population.

Since 2010 there have generally been fewer observations of NARW in Nova Scotia waters as compared to previous years (with the exception of 2016). In 2015 and 2017, more NARW sightings were reported in the Gulf of St. Lawrence than have previously been documented, though more search effort also occurred in the area during these years. In 2017, an unprecedented 12 NARW were found dead in the Gulf of St. Lawrence, with an additional five live-entangled individuals documented in the same area. Since June 7, 2017, a total of 18 NARW have been discovered dead in Canadian and US waters, resulting in an unusual mortality event being declared by the US, which remains in effect.

SARA includes prohibitions that protect both the listed species and its identified critical habitat. SARA Section 32 prohibits the harm, harassment, capture and killing of individuals of a listed species wherever they are found. Section 32 has been in force for the NARW since it was listed in 2005. The destruction of Critical Habitat is also prohibited under Section 58 of SARA. Activities such as fishery interactions are not considered activities that impact the Critical Habitat. However, often these areas are high-use fishing areas where large numbers of individuals predictably occur or congregate. Therefore, the boundaries of SARA critical habitat may also indicate where the greatest risk of interaction with threatening activities occurs.

In 2017, DFO carried out a science-based "Review of the Effectiveness of Recovery Activities for the North Atlantic Right Whales" as part of the Ocean Protection Plan. This review noted that "[r]educing the spatiotemporal co-occurrence of North Atlantic Right Whales and fishing gear would reduce the probability of a whale encountering gear and becoming entangled." It specifically identified removing gear from identified critical habitat and from other high-use areas by implementing spatiotemporal closures to fishing activities when NARW are present as one of the most effective activities to reduce the threat of fishing-gear entanglement.

Supporting this recommendation, two Canadian studies identified spatiotemporal closures to fisheries as an efficient measure to reduce entanglements of NARW in fishing gear (Vanderlaan et al. 2011, Brillant et al. 2017, attached in TAB 3 and TAB 4). Vanderlaan et al. (2011) examined the risk of lethal interactions with NARW and different fishing gear types in Canada by examining the overlap of fishing activity with whale presence. Higher risk fisheries occurred in Critical Habitat, with groundfish bottom longline posing the greatest risk of entanglement in Critical Habitat during the summer residency period and the lobster fishery posing the greatest risk during migratory periods in spring and fall. Brillant et al. (2017) show that about a third of the annual risk of entanglement for NARW in Canadian waters occurs in their identified Critical Habitat and suggest that the most effective and efficient action to reduce this risk is to seasonally restrict fishing in Grand Manan and Roseway Basins to periods when NARW are not present.

The use of fixed fishing gear in Canada and the US is often identified as posing a high risk of entanglement or entrapment for NARW (Vanderlaan et al. 2011). It is widely accepted that vertical and horizontal lines used in fixed gear fisheries are the most common causes of entanglements for NARW, though there is little understanding of exactly how entanglements occur and little evidence to support which gear modifications would reduce the risk of entanglement. Many of the recommendations from the scientific community have thus focused on spatio-temporal avoidance as the most effective means of reducing the risk of entanglement. The gaps in our knowledge of how entanglements occur coupled with uncertainty in NARW distribution highlight the need for implementing a precautionary approach to managing potential NARW and fisheries interactions.

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pages 1055 to / à 1058**

Waters, Christa

From: Daley, Annette
Sent: June-14-18 4:53 PM
To: Berthier, Jacinta; Waters, Christa
Cc: Gabriel, Jenna
Subject: RE: engagement proposed

- Agreed – let's meet to discuss (with Comms) how to loop back with them. I want to continue to effectively engage with them and the only action item I see from the meeting says: Next steps include creating a protocol for Maritimes Region, in consultation with industry, to clearly communicate what is happening and what industry should expect in certain circumstances. So let's discuss first and include Comms so we go back with something on both a protocol and a Comms plan that they can work with.

Annette

From: Berthier, Jacinta
Sent: Thursday, June 14, 2018 4:42 PM
To: Waters, Christa <Christa.Waters@dfo-mpo.gc.ca>; Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>
Subject: RE: engagement proposed

s.19(1)

Hi,

I noted this to Annette earlier and I may have misunderstood the plan going forward. I do think the SFRT would like to continue to be engaged, but perhaps what we need to do is clarify how the engagement with the individual groups making the request for further engagement – [REDACTED] GMFA, etc... is going first. If those processes are moving along positively, perhaps we only need to return to SFRT at the next full meeting. Annette noted there is a planning meeting for that coming up in July around the 17th.

What we need is to get the pulse of the group – [REDACTED] SWNS reps, ENS snow crab reps – to determine what they expect going forward in terms of engagement in the process for decision making and communication. There are a few outstanding pieces to pull together so we are all on the same page – perhaps a quick discussion with Marilyn, Comms _ Debbie?, and the three of us would help close the loop on the need for another SFRT meeting.

Christa – if you can plan a quick 30 minute meeting for next steps, that would be great.

Thanks,
JB

From: Waters, Christa
Sent: Thursday, June 14, 2018 4:30 PM
To: Daley, Annette <Annette.Daley@dfo-mpo.gc.ca>; Berthier, Jacinta <Jacinta.Berthier@dfo-mpo.gc.ca>
Subject: FW: engagement proposed

Hello,

Marilyn and Jenna have found a possible date for a second roundtable meeting. June 22nd from 1:30-3pm

Can we get approval to send out the invitation? Should we contact the co-chair first?

Thanks,

Christa

Christa Waters

Regional Senior Fisheries Management Advisor
Resource Management | Gestion des Pêches
Maritimes Region | Région des Maritimes
Telephone | Téléphone 902-293-6541

From: Sweet, Marilyn
Sent: June-14-18 4:18 PM
To: Waters, Christa
Subject: Fw: engagement proposed

FYI. Let me know if I need to get approval from Annette before getting an invite sent out.

Thanks!

Mar

Sent from my BlackBerry 10 smartphone on the Bell network.

From: Gabriel, Jenna <Jenna.Gabriel@dfo-mpo.gc.ca>
Sent: Thursday, June 14, 2018 16:11
To: Sweet, Marilyn
Subject: RE: engagement proposed

Thanks Marilyn,

I've taken a quick peak at the schedules of those from DFO who attended the last NARW meeting and seems that June 22nd from 1:30-3pm would be the best time slot within the frame you outlined below. I'll wait for the final word before sending out a place holder.

Jenna.

From: Sweet, Marilyn
Sent: June-14-18 3:46 PM
To: Gabriel, Jenna
Subject: FW: engagement proposed

Hi Jenna,

As discussed today (in passing!) here is the meeting I was referring to. I'm just waiting to see if Annette needs to approve before we call the meeting.

I'll let you know as soon as I do.

Thanks!

Mar

From: Sweet, Marilyn
Sent: June-14-18 1:37 PM
To: Waters, Christa
Subject: engagement proposed

Hi Christa,

From the proposed approach that Cathy prepared last week I made some edits and suggest the following:

- A follow-up teleconference with the SFRT. Suggest Thursday June 21 or Friday June 22. Teleconference for 1-1.5h
- Arrange a separate teleconference with Indigenous Communities for the same date above if possible (I'm reaching out to P&E now for guidance) .

This would be the agenda proposed:

- o Update on response to the confirmed sighting of a right whale in Roseway Basin on May 30th (RM lead)
- o Update on the situation in the Gulf of St. Lawrence and ongoing monitoring activities in Atlantic Canada (Science lead)
- o Proposed approach to right whales in the Maritimes Region (both inside and outside of critical habitat) (See one-pager attached) (RM lead)
- o Discuss approach to communicating with industry in the region about right whale sightings and fishery measures throughout Atlantic Canada. (discussion-Comms and RM lead)

If you are okay with this approach let me know and I'll reach out to Jenna for the SFRT.

Thanks,

Mar

Marilyn Sweet

Senior Advisor | Conseillère principale

Fisheries Management | Gestion des pêches Maritimes Region | Région des Maritimes Fisheries and Oceans Canada | Pêches et Océans Canada

1 Challenger Dr | 1 promenade Challenger

PO Box 1006 | C.P. 1006

Dartmouth, NS Canada B2Y 4A2 | Dartmouth, NÉ Canada B2Y 4A2

(902)-221-7269

Marilyn.Sweet@dfo-mpo.gc.ca

ROD for NARW WG RD Subcommittee – June 18, 2018

In attendance:

Maritimes – Jacinta Berthier

Gulf – Marc LeCouffe

Quebec – Maryse Lemire

Newfoundland – Bob Lambert

Science (HQ) – Jean Landry, Simon Nadeau

NHQ – Adam Burns (Chair), Randy Jenkins, Brett Gilchrist, Alexis Van Bommel (secretariat)

ROD

1 NARW was observed in the Bay of Fundy, in the Grand Manan Critical Habitat area. As there is no formal protocol in place, a meeting with the affected RDs has been convened.

Industry in Grand Manan have a voluntary protocol in place for NARW sightings in the area, including increased monitoring. Maritimes region advised that industry would also move gear away from the whale's location. Although there have been no NARW fatalities in the last 12 years, there have been entanglements.

Although Campobello recue is close by, it is important to note that there is a difference between prevention and corrective measures. The MMPA is aiming for measures that drive bycatch to zero.

Industry is aware of our approach and the Minister's direction on these matters, and that our risk tolerance is very low because of the mortality event last year, and because of the trade risks. We can evaluate our measures in the off season as we prepare for 2019.

It was discussed that our relationship with harvesters could be jeopardized by negating their experiences with NARW and the voluntary measures they have in place, and that they may stop reporting sightings if it results in a fishery closure.

Question was raised if TC would be implementing a slowdown zone in their shipping lane close to Grand Manan. It was noted that the shipping lane was moved from Grand Manan Critical Habitat area.

It seems as though the voluntary measures put in place by industry are not an alternative for a regulatory approach.

Decision

Recommendation is to close the Grand Manan Critical Habitat area for 15 days, to be consistent with the Roseway Basin Critical Habitat temporary closure. Maritimes region to prepare Variation Order and Notice to Harvesters for closure, and to provide a short description on industry's voluntary measures as it is likely MINO will want this information. To be prepared ASAP.

Caines, Allison

From: Hastings, Katherine
Sent: Monday, June 18, 2018 11:45 AM
To: Schaefer, Heidi
Subject: NARW in Grand Manan Basin CH - update from 9:30am regional meeting

Hi Heidi,

Here is a brief overview of what I learned at the regional meeting convened to discuss the sighting of a NARW in the Grand Manan Basin CH area on Saturday, June 16:

- The sighting was recorded by the NEAq research team, who began their 2018 field season on Saturday
- There are no photos, but they are certain of the species ID
- There was a delay in the sighting getting to SITCEN – it was only uploaded to Whale Map on the day of the sighting – Science is working on getting a SITCEN reporting protocol in place for NEAq, MICS, CWI and other trusted sightings sources so that a delay such as this does not occur again
- The NEAq team has not been on the water since Saturday, and likely won't be back out until later this week
- The recommended course of action from the region will be to close the grid cells per the Gulf Region 9x9 protocol, but only within the CH area (i.e. as was done in the Roseway Basin) – application of this protocol would result in the entire CH area being closed
- Active fisheries in the area include Jonah crab; LFAs 36 & 38 (groundfish is closed until Jul 1)
- Marilyn is looking into forecasted marine weather conditions to determine the length of time needed for gear removal (e.g. standard 48 hours, or more?)
- Marilyn looking into whether a C&P flight could do a patrol in the area to see if other whales are present
- Marilyn to update regional group with outcomes of the NHQ call at 11am ADT – because the closure protocol is still ad hoc in Maritimes Region, an RD call will likely follow NHQ call
- Final decision on temporary closure to be made by end of day?
- Note: the Grand Manan Fishermen's Association has been engaged by DFO RM on the sighting and they object to a possible closure based on one whale sighting – they are also disputing the veracity of the sighting, claiming the vessel track does not match up with the location of the whale – from DFO's perspective the sighting is trusted and decisions will be made accordingly

In related news: a C&P overflight of Roseway Basin is planned for today – if no NARWs are sighted, the temporary closure in that area will be lifted.

Please let me know if you'd like to discuss anything further.

Thanks,
Katie

Katherine Hastings

Species at Risk Management Division
Fisheries and Oceans Canada / Government of Canada
katherine.hastings@dfo-mpo.gc.ca / Tel: 902-401-0070 / Fax: 902-426-2331

Division de la gestion des espèces en péril
Pêches et Océans Canada / Gouvernement du Canada
katherine.hastings@dfo-mpo.gc.ca / Tél: 902-401-0070 / Téléc: 902-426-2331

Snow, Anne E

From: Wentzell, Doug
Sent: June-20-18 11:10 AM
To: Valkenier, Mary-Ellen
Subject: Re: Grand Manan Basin - Next Steps

s.19(1)

Thanks. Just concluded meeting with [REDACTED] (she was here in person). Will debrief colleagues on the steering cttee call which is on now.

Doug Wentzell

Associate Regional Director General, Maritimes Region
Fisheries and Oceans Canada | Government of Canada
Doug.Wentzell@dfo-mpo.gc.ca | Telephone: 902-426-2250 | Facsimile: 902-426-2706

Directeur général régional associé, Région des Maritimes
Pêches et Océans Canada | Gouvernement du Canada
Doug.Wentzell@dfo-mpo.gc.ca | Téléphone: 902-426-2250 | Télécopieur: 902-426-2706

From: Valkenier, Mary-Ellen
Sent: Wednesday, June 20, 2018 10:51 AM
To: Wentzell, Doug
Subject: Fw: Grand Manan Basin - Next Steps

Sent from my BlackBerry 10 smartphone on the Rogers network.

From: Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Sent: Wednesday, June 20, 2018 9:49 AM
To: Blewett, Catherine
Cc: Doucet, Serge; Valkenier, Mary-Ellen
Subject: Fw: Grand Manan Basin - Next Steps

Fyi

Sylvie

From: Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Sent: Wednesday, June 20, 2018 8:04 AM
To: Perron, Sadie (DAAF/MAAP)
Subject: RE: Grand Manan Basin - Next Steps

We don't yet have a specific time but I can say they will happen sooner rather than later.

Sylvie

From: Perron, Sadie (DAAF/MAAP) [<mailto:Sadie.Perron@gnb.ca>]
Sent: Wednesday, June 20, 2018 7:48 AM
To: Lapointe, Sylvie <Sylvie.Lapointe@dfo-mpo.gc.ca>
Subject: RE: Grand Manan Basin - Next Steps

Merci Sylvie,

Do you know when consultation will happen with fishers to discuss the plans for the November 2018 season in Fundy?

Thanks and I really appreciate the update.

Sadie

From: Lapointe, Sylvie [<mailto:Sylvie.Lapointe@dfo-mpo.gc.ca>]
Sent: Wednesday, June 20, 2018 8:45 AM
To: Perron, Sadie (DAAF/MAAP) <Sadie.Perron@gnb.ca>; Brewer-Dalton, Kathy (DAAF/MAAP) <Kathy.Brewer-Dalton@gnb.ca>
Cc: Doucet, Serge <Serge.Doucet@dfo-mpo.gc.ca>; Valkenier, Mary-Ellen <Mary-Ellen.Valkenier@dfo-mpo.gc.ca>
Subject: Grand Manan Basin - Next Steps

Good morning,

Further to your discussion with our DM yesterday, I wanted to provide you with some updated information on the closure of the Grand Manan Basin.

Our protocol is that when a right whale is sighted in a foraging area we close grids, and require at least 2 surveillance flights with no whale sightings over a 15 day period before we would reopen, as we have done in the Gulf of St. Lawrence and Roseway Basin.

We have indicated that all measures implemented this year will be reviewed in full consultation with industry for next year.

The closures will now take effect on June 22nd, 2018 at 22:00 Atlantic Daylight Time (ADT) to provide licence holders additional time to retrieve gear from the area that will be closing. All gear must be removed from the closed area before the time of closure. This is due to weather conditions to allow for the safety of fishers.

The season started in November, and other parts of the lobster fishing area remain open.

Sylvie

Sylvie Lapointe

Assistant Deputy Minister, Fisheries and Harbour Management
Sous-ministre adjointe, Gestion des pêches et des ports

613-990-9864



Fisheries and Oceans Canada (DFO)
Atlantic Steering Committee (ASC) for the North Atlantic Right Whale (NARW)
Meeting on June 20, 2018
Record of Discussion

In Attendance	
Name	Title
DFO Maritimes Region	
Doug Wentzell	A/Regional Director General
Jacinta Berthier	A/Regional Director, Fisheries Management
Darlene Smith	A/Regional Director, Science
Sheila Prall Dillman	Senior Policy Advisor (Secretariat)
DFO Quebec Region	
Maryse Lemire	Regional Director, Fisheries Management
DFO Gulf Region	
Jackey Richard	A/Regional Director General
Marc LeCouffe	A/Regional Director, Fisheries Management
DFO Newfoundland and Labrador Region	
Tony Blanchard	Regional Manager, Fisheries and Aquaculture Management
DFO National Headquarters	
Adam Burns	Director General, Fisheries Resource Management (Chair)
Randy Jenkins	A/Senior Director, Integrated Resource Management
Alexis Van Bommel	Fisheries and Aquaculture Management Officer
Darren Goetze	Director General, Conservation & Protection
Jean Landry	Director, Fish Population Science
Simon Nadeau	Senior Advisor, Science
Corina Busby	Manager – Biologist, Species at Risk
Ashley Jackson	Senior Communications Advisor
Canadian Coast Guard	
Diane Faubert	Operational Requirements Analyst
Transport Canada	
Megan Nichols	Director General, Environmental Policy
Jessica Diduch	Policy Analyst, Safety and Security Group
Kingson Lim	Senior Policy Analyst, Environmental Policy

	TOPIC	LEAD
1.	Welcome and Introductions Review Record of Discussion	Adam Burns
Comments on the draft Record of Discussion from the meeting on June 6, 2018, are requested by Friday June 22, 2018. It will then be considered final.		



2. Research, Risk Assessment and Monitoring

Jean Landry

Science Advisory Meeting, November 26-30, 2018

Jean Landry reviewed the document: "Science Advice on the Distribution, Abundance, Habitat Use of North Atlantic Right Whales in Canadian Waters, and Associated Risks of Ship Strikes and Entanglement in Fishing Gears," which was distributed for this meeting.

The objective of this document is to provide a first overview to the Regional Directors General of the plan for the peer-reviewed science advisory meeting scheduled for November 26-30, 2018. Jean Landry reviewed the broad themes that could be addressed by the science advice and the next steps, which will require further discussion with the clients at DFO and Transport Canada. It is imperative that DFO and Transport Canada identify more specific questions that the advice should address. The sooner the questions are provided, the more likely that they can be addressed. The science advisory meeting will include 30-35 participants with many scientists, including external partners and international experts. There will also be a few seats for internal clients to contribute their knowledge.

As a next step, Science will draft the Terms of Reference for the science advisory meeting, which will be approved within Science; the Atlantic Steering Committee for NARW and the National Executive Committee on Whales will be kept informed.

For Action:

Science requires the names of contacts in Transport Canada and Fisheries Resource Management (FRM) to ensure that key components are addressed. Adam Burns and Megan Nichols will gather science questions and contact names within FRM and Transport Canada, respectively, to provide to Jean Landry by Friday June 29, 2018. FRM in Ottawa will draft 5-6 questions and seek input from the Regional Directors of Fisheries Management by early next week. FRM and Transport Canada will also share their questions with each other.

3. Fisheries Interactions

Adam Burns, Doug Wentzell,
Jacinta Berthier, Marc LeCouffe

Status of fisheries closures

Adam Burns provided an update on recent fisheries closures and re-openings. Roseway Basin has re-opened and Grand Manan Basin is in the process of being closed. The recent closures in Gaspé and Miscou have been relatively smooth with respect to compliance.

The seasons for most of the fisheries that have interactions with whales are coming to a close. In the Gulf of St. Lawrence, crab fishing is done and lobster fishing will be finished in the first week of July. The lobster fishery in Grand Manan will end on June 28, 2018. However, Lobster Fishing Area 38 (LFA 38) will remain open an extra 10 days this year and LFA 38B will remain open until November.

Concerns of the Grand Manan Fisheries Association (GMFA)

Doug Wentzell and Jacinta Berthier provided an update on their meeting with [REDACTED] the GMFA. [REDACTED] raised the following concerns:

- The GMFA questioned the reliability of the data for the closure of the Grand Manan Basin, as the whale was sighted by a US vessel without Canadian validation.
- The GMFA would like DFO to provide its protocol in writing, including explaining what will happen if there are no more sightings within 15 days.
- The GMFA asked why fisheries are impacted when there is not a mandatory slow-down for shipping.

The GMFA has put measures in place over the last decade to mitigate risks to whales, for example, voluntarily not fishing in areas where whales have been sighted.



In the discussion about the possibility of increased surveillance to clear the area for fishing, it noted that it would be a challenge to re-deploy assets; that there would be questions of fairness if the closure in Grand Manan were applied differently than in other areas; and that shortening the closure even to 7 days would not assist the industry as the season ends before then.

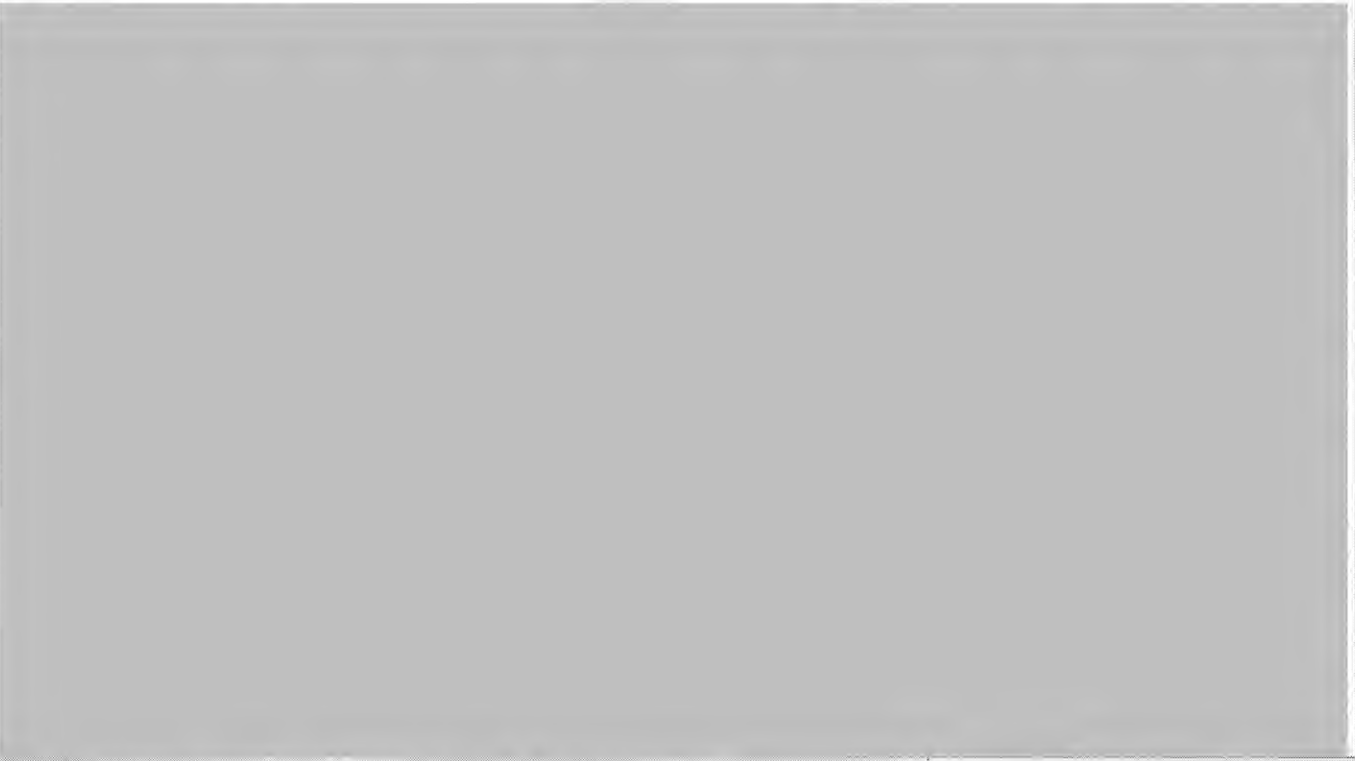
For Action:

It was decided that DFO will communicate [REDACTED] that the 2018 protocol will remain in place, that further science advice will be sought, that the effectiveness of the management measures will be reviewed, and that the fishing industry will be consulted on the management measures for 2019. [REDACTED] will also be informed that the Marine Communications and Traffic Services (MCTS) and Transport Canada are monitoring vessel traffic. The GMFA had observed a commercial vessel speeding on Monday. Diane Faubert advised that the MCTS confirmed that a ferry had been speeding that day as they had a heart attack patient onboard.

Adam Burns had also spoken with [REDACTED] and had committed to including GMFA in the post-season review and to keep them informed of discussions with the US. He will participate in a call with Global Affairs Canada tomorrow on how to approach the "grey zone" (i.e., LFA 38B: a shared fishing area between Canada and the US). Jacinta Berthier emphasized that the GMFA should be included in the consultations, given their experience fishing with NARW over the last decade.

Proposal from Crab Fishing Area 19 (CFA 19)

Representatives of CFA 19 had submitted a proposed "Area 19 Fishing Plan and Right Whale Prevention Measures Protocol" to the Deputy Minister and asked to meet with her as soon as possible to discuss it. (See the proposal distributed for this meeting.)



4. **Marine Mammal Response Program (MMRP)**

Adam Burns

Adam Burns advised that his team will focus on governance and decision-making around funding for capacity building with response organizations and an update will be provided to the National Senior Executive Committee on Whales in mid-July 2018.



5.	Shipping Interactions	Jessica Diduch, Kingson Lim Diane Faubert
<p>Jessica Diduch provided an update that Transport Canada was not able to complete two clear flights due to weather so a Notice to Shipping was issued at midnight on June 15, 2018, for a mandatory slow-down in all four sectors subject to the protocol for dynamic management. On June 16, 2018, sectors A, B and D were clear and on June 17, 2018, sector C was clear (of whale sightings). Wind is expected this week but another flight is planned for Friday to clear all four sectors. (If there are two clear flights without whale sightings, the slow-down can be lifted.)</p> <p>Diane Faubert provided statistics from the MCTS on compliance with the mandatory slow-down. From June 4 to 18, 2018, there were 39 contravention reports provided to Transport Canada. That is, 39 vessels over 20 metres exceeded the limit of 10.0 knots. Most were cargo and tanker ships. Transport Canada confirmed this is a typical number of reports. They investigate each report as there are many anomalies, e.g., a wave could push a ship over 10.0 knots for a few seconds.</p> <p>There was a discussion about the use of drones while Transport Canada's Dash 8 aircraft is dedicated to another priority mission. Jean Landry advised that DFO Science will provide support for testing the drone with Marine Mammal Observers to the extent possible within current resources. There are questions about the drone's ability to spot whales, the resources required and timeliness, for example, if it will take many hours for the observers to look at the video after the flight. There is a plan to test the drone in the week of July 22nd in Gaspé and to employ the drone while the Dash is unavailable in August 2018.</p> <p>For Action:</p> <p>The importance of testing the drone was emphasized and it was agreed that a further update on the drone will be provided at the next meeting of the National Executive Steering Committee on Whales.</p>		
6.	Roundtable	Marc LeCouffe
<p>Marc LeCouffe noted that the committee will need to consider if the fishery closure in the static zone will remain in place until December 31, 2018, or if there will be a process to open it. Also, he advised that staff are asking if they will need to work weekends all year or only until whales are no longer being sighted.</p> <p>For Action:</p> <p>Marc LeCouffe advised that the season for LFA 23 started late and the industry is requesting a few days extension. The fishery is scheduled to close on June 30th and they are asking to close on July 3rd; July 5th in the southern area. For Science, Jean Landry noted that going further into July increases the likelihood that the molt will start but it is only a few days. It was decided that Gulf Region will prepare a memorandum to seek approval from the Minister.</p> <p>Adam Burns asked the regions to work with Randy Jenkins to compile a list of the opening and closing dates for fixed gear fisheries over the next few weeks to inform decisions on implementing the protocol.</p>		
7.	Next Meeting	
<p>The next bi-weekly meeting of the Atlantic Steering Committee will be on July 4, 2018.</p>		

Waters, Christa

From: Gabriel, Jenna
Sent: June-22-18 8:25 AM
To: Waters, Christa
Subject: RE: SFRT minutes
Attachments: SFRT RoD May 2018 (NARW)_Draft V10_forRDapprovals.doc

Hi Christa,

Minutes attached. They are still awaiting RDG approval before being distributed externally.

Thanks,
Jenna

From: Waters, Christa
Sent: June-21-18 4:52 PM
To: Gabriel, Jenna
Cc: Sweet, Marilyn
Subject: SFRT minutes

Hello Jenna,
Can you send me the most up to date minutes from the special marine mammal SFRT meeting we had?
Thanks,
Christa



Record of Discussion

Ad hoc Meeting of the Scotia Fundy Fishing Sector Roundtable
North Atlantic Right Whale Protocols
May 31, 2018 (3:00 p.m. – 5:00 p.m.)

Participants

In Attendance (DFO)

NAME	POSITION
Annette Daley	A/Regional Director, Fisheries Management
Jacinta Berthier	Director, Resource and Aboriginal Fisheries Management (presenter)
Cathy Merriman	A/Senior Advisor, Resource Management
Marilyn Sweet	Senior Advisor, Resource Management
Angelia Vanderlaan	Aquatic Science Biologist, Science
Kendra Moore	Fisheries & Aquaculture Management Officer, Resource Management
Debra Buott-Matheson	Advisor, Communications
Kurt Simmons	Aquatic Science Biologist, Ecosystem Science
Jenna Gabriel	Secretariat, Policy & Economics

In Attendance (Industry)

NAME	ASSOCIATION
Ginny Boudreau	Guysborough County Inshore Fishermen's Association (Co-chair)
John Couture	Unama'ki Institute of Natural Resources
Geoff Irvine (alternate for Jerry Amirault)	Brazil Rock LFA 33/34
Bonnie Morse	Grand Manan Fishermen's Association
Leo Muike	Nova Scotia Seafood Alliance
Melanie Sonnenberg	Grand Manan Fisheries Association

Teleconference

Lori Baker	Eastern Shore Protective Fisherman's Association
Bernie Berry	Cold Water Lobster Association
Ray Belliveau	Charlesville Fisheries Ltd.
Michelle Blinn	N.S. Department of Fisheries and Aquaculture
Catherine Boyd (alternate for Christine Penney)	Clearwater Seafoods
Veronika Brzeski	LFA District 27 Management Board
Maria Recchia	Fundy North Fisherman's Association
Alain D'Entremont	Scotia Harvest Seafoods Inc.
Sam Ellsworth	Halifax West Commercial Fishermen's Association
Joy Fry-Buchanan	Full Bay Scallop Association/Herring Co-op
Terry Hatt	Government of New Brunswick
Tony Hooper	Connors Bros Clover Leaf Seafoods
Ruth Inniss	Maritime Fisherman's Union - Local 9
Emilie Lagrandeur	Scotia Garden Seafood Inc. (invited by Joy)
Gord MacDonald	Area 23 Crab Fishermen's Association
Allan MacLean	Louisbourg Seafoods
Tim Martin	Native Council of Nova Scotia
Amy Moulton	Atlantic Policy Congress of First Nations Chiefs Secretariat
Heather Mulock	Cold Water Lobster Association
Adam Mugridge	Louisbourg Seafoods Ltd
Kevin Squires	Maritime Fishermen's Union - Local 6



Discussion Notes	
TOPIC	LEAD
Introduction and Opening Remarks	DFO
<ul style="list-style-type: none"> Following strategic discussions within the department to interpret industry suggestions provided during consultations (January to March 2018), and following a discussion with the Scotia Fundy Roundtable (SFRT) Planning Working Group, DFO requested industry engagement regarding protocol for North Atlantic Right Whale (NARW) presence/sightings in Maritimes Region. DFO - Gulf Region initiated static and dynamic closures, triggered by the sighting of one NARW. The process for dynamic and static closures in the Gulf of St. Lawrence (GSL) has been established for 2018 by the Department. All areas outside of GSL (including waters in Maritimes Region) are to be managed on a "case-by-case" basis, which may present a challenge. Plans to account for NARW presence in the Gulf have been established and a process for decisions on their presence in the Maritimes Region is now required. Surveillance is required to determine their presence. DFO has a surveillance plan including science and C&P aerial surveillance as well as hydrophones and gliders deployed by DFO and Dalhousie University. However, these observation techniques can be limited by weather and other conditions which sometimes limit visibility for planes or deployment of equipment. Next steps include creating a protocol for Maritimes Region, in consultation with industry, to clearly communicate what is happening and what industry should expect in certain circumstances. 	
Open Table Discussion	Open to all
<ul style="list-style-type: none"> DFO - Maritimes is preparing a submission to NHQ of a proposed baseline protocol for triggering management actions and is requesting industry input. This protocol would enable DFO to act quickly, while still considering "case-by-case" factors. The Maritimes Region protocol will ultimately be approved by the Minister, using the same approval process that the GSL protocol underwent. DFO - Maritimes is currently considering NARW critical habitat (under the <i>Species at Risk Act</i>) as a starting point for the discussion as to what factors will guide a "case-by-case" analysis of NARW sightings in Maritime Region waters. One option considered would be to parallel the Gulf protocol, using a precautionary approach with grid system closures when one whale is detected in a critical habitat area as the trigger. Another option would be to parallel the U.S. protocol which considers space and location, right whale behaviour patterns, and historical right whale data. This approach requires a sighting of three or more right whales to trigger closures. There will be a Whalemap application available for public use, likely in the next few days. This interactive map of near-real time right whale detections can be an effective resource for fish harvesters when planning their fishing trips. Industry members discouraged DFO staff from making any measures fixed or permanent, due to the unpredictability of the whales and their behaviour. Industry suggested fluid or adjustable measures. DFO staff stressed the importance of having a plan with parameters, but agreed that staying flexible is important. "Case-by-case" will still allow for this fluidity in response. Right now we are discussing one whale sighting, but DFO recognizes that at any time, it could be multiple whales. It is in the best interest for everyone to be proactive and establish measures early on, and ensure they are shared publically as early as possible. Industry voiced the importance of education and awareness on this topic; to teach the fish harvesters how severe the impact could be for them if they do not co-exist with the NARWs. Another option considered was to combine DFO - GSL's grid system closures, with the U.S. approach for triggering closures. Industry suggested a closure be initiated if there is one whale in a critical habitat area, and/or if an aggregation of three or more whales is sighted outside of critical 	



habitat.

- Duration of closures was a topic of much discussion. Critical habitat areas in Maritimes Region waters seem small in comparison to the size of the GSL and U.S. waters (critical habitat on U.S. side), and industry suggested it would be unlikely that a whale will remain in one area of Maritimes for 15 days. Industry suggested starting with five days, and continuing a rolling closure of five day periods based on observed NARW presence in the area. If no right whales are sighted after five days, the closure would be lifted. If surveillance is not possible on the fifth day, DFO could then continue with a precautionary closure.
- DFO staff indicated that discussions will need to take place with science and management specialists to determine if the surveillance plan could be influenced in this manner. One consideration is that as more whales aggregate in Gulf waters, more surveillance goes with them. The surveillance capacity is shared across the Atlantic zone, not just regionally.
- DFO staff will also have to discuss the five day period with science and specialists to see if this is reasonable considering the whales' habits.
- It was noted that if the DFO-Maritimes proposal differs significantly from both Gulf measures and U.S. measures, there would need to be a strong rationale for the differences.
- Industry cautioned that whenever measures are established, they must be communicated in simple language with simple map imagery for easy understanding of the general public.

Post Meeting Follow-up

DFO

- A news release on June 6, 2018 announced that Fisheries and Oceans Canada and Dalhousie University launched the new interactive map displaying near-real time locations of North Atlantic right whales in Atlantic Canadian waters. The map incorporates whale sightings data from multiple sources (DFO, TC and partners) and is continuously updated every five minutes. The map will be embedded on the DFO website: On Alert for Whales (<http://www.dfo-mpo.gc.ca/species-especes/mammals-mammiferes/narightwhale-baleinenoirean/alert-alerte/index-eng.html>)
- DFO's bottom mounted moorings that contain hydrophones are not currently set up for real-time monitoring and their associated data are not useful for real-time decisions. However, Dalhousie's gliders can detect right whales and provide near-real time data. Gliders will not be deployed in Maritimes Region until July or August.
- U.S. dynamic area management (DAM) zone would be triggered by a single reliable report from a qualified individual of 3 or more right whales within an area (75 nautical miles (nm²) (139 km²)) such that right whale density is equal to or greater than 0.04 right whales per nm² (1.85 km²).
- Some general information about fishery closures in northeast U.S. waters for right whale entanglement prevention can be found on the National Oceanic and Atmospheric Administration (NOAA) website. (https://www.greateratlantic.fisheries.noaa.gov/protected/whaletrp/docs/alwtrp_closure_reminder_fact_sheet.pdf).
- In regards to residency: "Analyses of historical sighting data indicate that this criterion, of at least 3 whales in an area with a density greater than or equal to 0.04 right whales per nm² (1.85 km²), provides for a level of density where whales are likely to maintain residency in an area for at least 10 to 20 days. Residency indicates that whales may be actively feeding and, therefore, more vulnerable to entanglement." Federal Register 2001 Vol 66 No. 191. Furthermore, Davies et al. (2015) estimate the transition probabilities for critical habitats and for all analyses after 30 days individual right whales have a > 82% chance of remaining in Grand Manan Basin, and >61% chance of remaining in Roseway Basin. The percentage is even higher in years where right whales were consistently seen in Roseway.